

How to Become a Citizen OF THE United States of America.

Wie werde ich Bürger ...der... Vereinigten Staaten von Amerika?

In English and German.

UC-NRLF



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FIFTH EDITION

1913

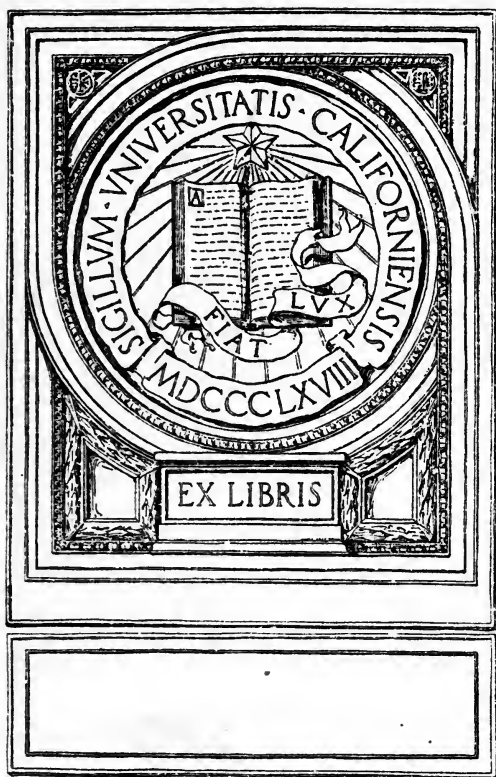
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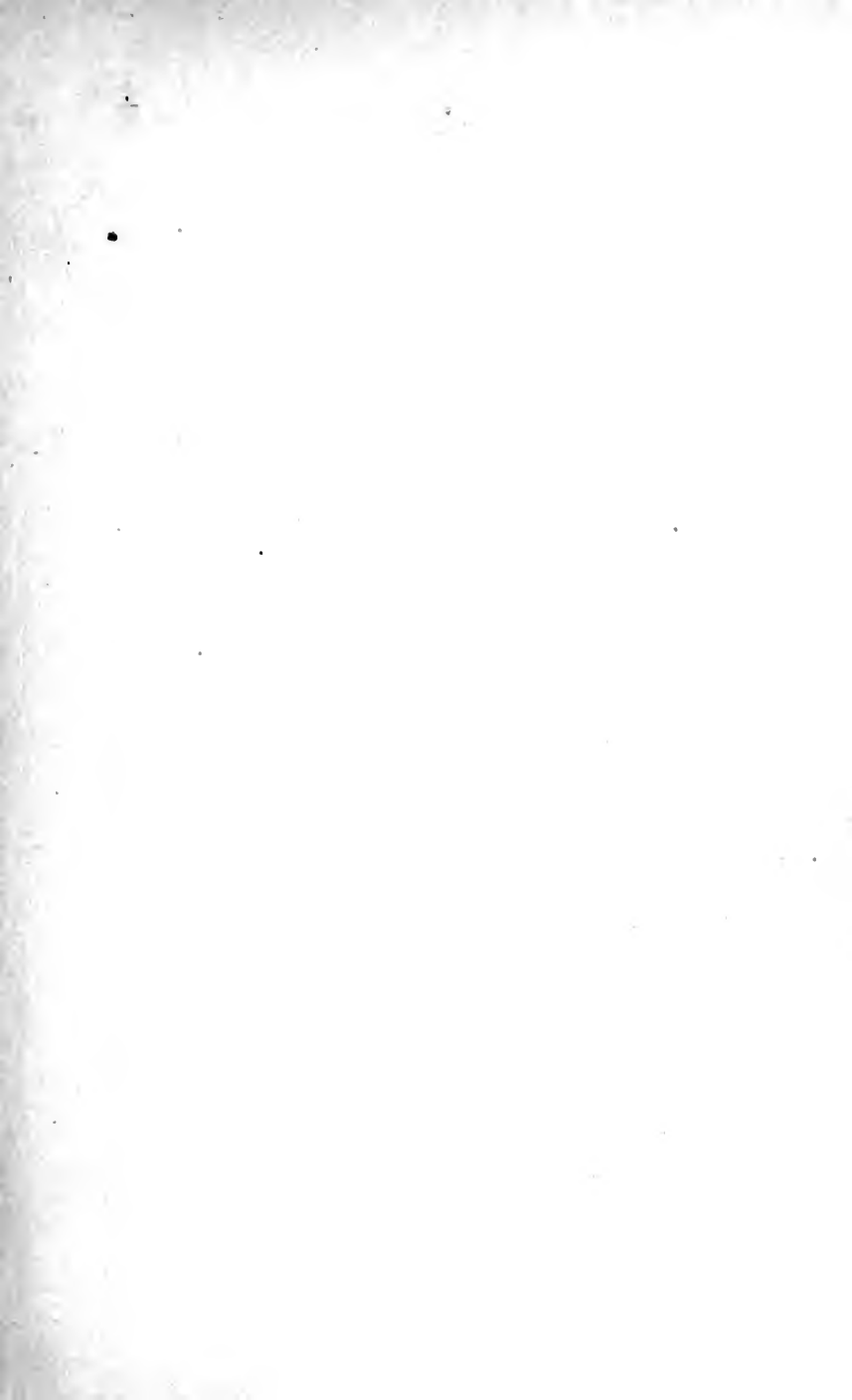
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THE OATH OF ALLEGIANCE TO THE UNITED STATES.

I do solemnly declare on oath in open Court that I will support the Constitution of the United States, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state or sovereignty and particularly to the (sovereign of which I am a subject) and that I will support and defend the Constitution and laws of the United States against all enemies foreign and domestic and bear true faith and allegiance to the same: So Help me God.

PREFACE.

The title of this treatise indicates, to some degree at least, its purpose and character; but it is thought that a few observations respecting the institutions and government under which we live, and with which not only every prospective citizen, but every citizen whether native-born or naturalized, should be familiar, may make the book more useful.

Every civilized State has its sovereign power. In the Old-World kingdoms the monarch is the sovereign, but in the United States of America the people is the sovereign, and the law for the government of the people is the expressed word and utterance of the people. All sovereign power, that is, the power to govern and to make laws for that purpose, resides in the people, and if a law is not wise and good the people, through elected representatives, may revoke it. Hence, every citizen being in this sense a part of the law-making power in this country, it becomes the earnest duty of every one, as a unit of the whole people, to understand the character of our government and the principles upon which it is based.

It is the duty of every immigrant intending to reside permanently in the United States to acquire citizenship, for not until then is he really a member of his adopted country. But the number of those who neglect to do so, either through lack of knowledge of the privileges and rights enjoyed by citizens, through indifference, or for some other reason, is really large. The alien immigrant who fails to become naturalized is not without the protection of our laws, but he does not enjoy the same rights and privileges as the citizen. On the other hand, the naturalized citizen stands on a par with and enjoys the same protection under our laws—either here or abroad—as the native-born citizen. Often important mistakes, leading to much loss of time and trouble, are made by persons intending to become citizens, because they have failed to meet in some essential part the requirements of the law relative to naturalization. Furthermore, there seems to be

no treatise extant which supplies completely and within the reach of everybody the information and knowledge needed on this subject.

All these things together seem to demand that proper efforts should be made to supply all who ask for it with a manual of practical and accurate information concerning the requirements of our naturalization laws and in some degree the rights enjoyed by citizens under our laws and the duties imposed upon them. It is believed that this work will supply this demand.

The book has been divided into four titles or parts. Title I treats of the requirements of the law relative to the qualifications necessary to become a citizen of the United States and therein of males, unmarried females, widows, minors, etc.; Title II shows in detail the procedure to be followed and the formalities to be complied with in the various steps of acquiring citizenship; Title III contains a complete set of all the questions which the applicant may be required to answer sufficient to meet the relative facts of every case; Title IV comprises the "Declaration of Independence," the Constitution of the United States, and the Naturalization Laws.

The work has been so arranged and the meaning so expressed that every part of it will be intelligible to the attentive reader. A thorough study of the Declaration of Independence and the Constitution of the United States in connection with the questions and answers found in Title III should place within the apprehension and understanding of every intelligent reader and of everyone who proposes to become a citizen of this country a knowledge of the form and division of the government by and under which the people of the United States govern themselves and enjoy and feel secure in the blessings of life and liberty and the pursuit of happiness.

THE AUTHOR.

TITLE I.

QUALIFICATIONS NECESSARY TO BECOME A CITIZEN OF THE UNITED STATES OF AMERICA.

CHAPTER I.

A Summary of the Conditions and Qualifications Necessary to Obtain Citizenship of the United States.

Whenever herein the colloquial phrase "First Paper or Papers" is employed, it is synonymous with the term "Declaration of Intention" to become a citizen of the United States. And whenever the phrases "Second Paper" or "Full" or "Final Papers" are used, they are synonymous with the term "Final Certificate of Citizenship."

Citizenship a Matter of Right.

Under the laws of the United States an alien enjoys the legal right to be admitted to citizenship, provided he has the necessary qualifications, performed the requisite conditions and follows the exact procedure prescribed by law.

Conditions and Qualifications for Males, Unmarried Females or Widows.

Applicant must have resided continuously within the United States *five years* at least on the date immediately preceding his application, and at least *one year* within the State or Territory in which the application for citizenship is made.

That during this time he has behaved as a man of good moral character.

That he is attached to the principles of the Constitution of the United States.

That he is able to speak English at the time of his application for his "Second Paper," provided he is not physically

unable to do so—except that a person who applies for a homestead and performs the conditions of the Homestead laws need not show that he is able to speak English—and except, secondly, a person who had his First Paper before the 28th day of September, 1906.

That the applicant is not an anarchist or believes in or is affiliated with any organization teaching opposition to organized government or one who advocates or teaches the duty of unlawfully assaulting or killing any officer of any organized government because of his official character.

He must not be a polygamist or believe in polygamy.

He must renounce any hereditary title or order of nobility.

He must renounce all allegiance and fidelity to any foreign potentate, prince, city or state of which he may at the time of filing his petition be a citizen or subject.

He must have his so-called "First Paper" at least *two years*—*but not* more than seven years—that is to say: He must make his final application for citizenship, that is for his "Second Paper," before seven years have elapsed from the date of his "First Paper"—otherwise the "First Paper" becomes null and void.

Exception: But a person who had received his "First Paper" before the 28th day of September, 1906, is entitled to his "Second Paper," though at the time of his application therefor he is in possession of his "First Paper" more than seven years and though he is not able to speak the English language.

Conditions for Minors—Status of Children Born Within or Without the Jurisdiction of the United States.

Minors are all persons under 21 years of age.

Formerly a minor on attaining the age of 21 years could be naturalized *without* having previously obtained his "First Papers." This has been *changed*.

An alien minor on attaining the age of 18 years may take out his "First Paper."

However, in order to become a citizen, he must have his

"First Paper" at least two years, he must be 21 years of age, and he must have resided at least five years continuously within the United States.

But children who were under 21 years of age at the time of the death of their father, who had taken out his "First Paper" but died before he actually became a citizen, may be naturalized upon the "First Paper" of the father, upon such children or minors attaining the age of 21 years.

In case a father dies after having obtained his "First Paper," but before he actually becomes a citizen, the mother, as long as she remains unmarried, may take out "Second Papers" upon the "First Paper" taken out by the deceased father—and all the children who were under 21 years of age on the date of the mother's naturalization will thereby become naturalized.

The children of immigrants born and dwelling within the United States acquire citizenship as a matter of right by virtue of being born within the United States.

The children of immigrants born outside the United States acquire citizenship through the naturalization of the father before such children attain the age of 21 years—but the citizenship of such children born outside the United States does not begin until they actually become residents of the United States.

Children of citizens born out of the limits and jurisdiction of the United States are considered citizens of the United States.

Status of Married Women.

A married woman acquires citizenship through the naturalization of her husband, though she herself has not resided five years within the United States—even when she is still in a foreign country at the time of her husband's naturalization within the United States.

Girls and widows, whether under or over 21 years of age, acquire citizenship as a matter of course through their marriage to citizens of the United States.

WHO MAY BECOME CITIZENS OF THE UNITED STATES.

Free White Persons and Aliens of African Descent.

All aliens being free white persons and aliens of African nativity and persons of African descent may become citizens.

Chinese.

The naturalization of Chinese is prohibited by the laws of the United States of America.

Alien Soldiers.

An alien soldier of the United States Army of good moral character, at the age of 21 years, shall be admitted to become a citizen of the United States after one year's residence within the United States and without having previously obtained his "First Paper."

Honorably Discharged Aliens from the U. S. Navy and Members of the Marine Corps.

Any alien of 21 years and upward who has served or may hereafter serve five consecutive years in the United States Navy or one enlistment in the United States Marine Corps, and has been honorably discharged, shall be admitted to become a citizen of the United States without previously having taken out his "First Paper."

Alien Seamen of United States Merchant Vessels.

Alien Seamen of United States Merchant Vessels may become citizens after three years' service. Every alien seaman who has taken out his "First Paper" and who shall have served, subsequent to the date of his "First Paper," *three years* on board of a merchant vessel of the United States, shall be admitted a citizen of the United States upon his application for citizenship by producing the following papers:

1. His certificate of discharge and good conduct during that time.

2. His "First Paper."

But such seaman enjoys all the protection of an American citizen immediately after obtaining his "First Paper."

Inhabitants of Organized Territories of the United States and Their Status.

That all the applicable provisions of the naturalization laws of the United States shall apply to and be held to authorize the admission to citizenship of all persons not citizens who owe permanent allegiance to the United States, and who may become residents of any State or organized Territory of the United States, with the following modifications: The applicant shall not be required to renounce allegiance to any foreign sovereignty; he shall make his declaration of intention to become a citizen of the United States at least two years prior to his admission; and residence within the jurisdiction of the United States, owing such permanent allegiance, shall be regarded as residence within the United States within the meaning of the five years' residence clause of the existing law.

Naturalization of Alien Enemies Prohibited.

Aliens who are citizens or subjects of a country with which the United States is at war cannot become citizens during the continuance of the war, subject to certain statutory exceptions.

Change of Name.

It shall be lawful, at the time and as a part of naturalization of any alien, for the court, in its discretion, upon the petition of such alien, to make a decree changing the name of said alien, and his certificate of naturalization shall be issued to him in accordance therewith.

CHAPTER II.

IN WHAT COURTS TO APPLY.

The applicant may apply for admission to citizenship either to the United States Courts or to a State Court.

United States Courts.

The United States or Federal Courts are: any Circuit or District Court of the United States within the district where the applicant resides.

The United States Court in the State of New York comprises four separate districts, viz., the Northern, Southern, Eastern and Western.

The seat of the United States Circuit and District Court for the Southern District of New York is in the General Post Office Building, City of New York.

The United States Circuit and District Courts for the Eastern District are in the General Post Office Building, in Brooklyn, City of New York.

STATE COURTS.

Application to State Courts.

State Courts to which application for citizenship may be made are: all courts of record having a seal, a clerk, and jurisdiction in actions at law or equity, in which the amount in controversy is unlimited.

The application to the State Court for admission to citizenship must be made in the county wherein the applicant has his residence; Municipal, Police and Criminal Courts have no power to issue certificates of citizenship.

Costs and Fees.

The "First Paper" will cost \$1.

The "Second Paper," or final certificate of naturalization, costs \$4.

The fees are the same anywhere within the United States.

Duplicate Papers for Lost Papers.

Any one having lost his "First" or "Second Paper" may obtain a duplicate "First" or "Second Paper" upon a sworn statement showing the loss of the respective paper.

The statement must be sworn to before the Clerk of the Court to which the application for a "Duplicate Certificate" is addressed. This statement is then forwarded to the proper department in Washington with the request for authorization to issue "Duplicate Certificates."

The Right to Vote.

In some of the States of the United States aliens who have taken out their "First Paper" have the right to vote equally with naturalized or native-born citizens. But in the majority of States only actual citizens have the right to vote.

The reason for this difference in the right to vote in the respective States is that "the right to vote" is conferred by and comes from the State, while naturalization is a right created by the laws of the United States and not by any one single State.

Status of Naturalized Citizens Who Have Taken Up Their Residence Abroad.

When any naturalized citizen, within five years from the issuance of his certificate of citizenship, shall return to the country of his nativity or any other foreign country and take permanent residence therein, it shall be considered *prima facie* evidence of a lack of intention on the part of such naturalized alien to become a permanent citizen of the United States, and his certificate of citizenship may be cancelled.

It is the duty of United States consuls in foreign countries to furnish from time to time to the Department of Justice the names of such persons who have certificates of citizenship of the United States and who have taken permanent residence in such foreign countries.

Status of Citizens Residing Abroad After Naturalization.

When any naturalized American citizen shall have resided for two years in the State from which he came, or for five years in any other foreign State, it shall be presumed that he

has ceased to be an American citizen and the place of his general abode shall be deemed his place of residence during those years: Provided, however, that such presumption may be overcome on the presentation of satisfactory evidence to a diplomatic or consular officer of the United States under such rules and regulations as the Department of State may prescribe.

CHAPTER III.

PENALTIES.

Penalties for Forging Certificate, Etc.

That every person who falsely makes, forges, counterfeits, or causes or procures to be falsely made, forged, or counterfeited, or knowingly aids or assists in falsely making, forging, or counterfeiting any certificate of citizenship, with intent to use the same, or with the intent that the same may be used by some other person or persons, shall be guilty of a felony, and a person convicted of such offense shall be punished by imprisonment for not more than ten years, or by a fine of not more than ten thousand dollars, or by both such fine and imprisonment.

Penalties for Unlawfully Engraving Any Plate in the Likeness of a Certificate of Citizenship.

That every person who engraves or causes or procures to be engraved, or assists in engraving, any plate in the likeness of any plate designed for the printing of a certificate of citizenship, or who sells any such plate, or who brings into the United States from any foreign place any such plate, except under the direction of the Secretary of Commerce and Labor, or other proper officer, any person who has in his control, custody, or possession any metallic plate engraved after the similitude of any plate from which any such certificate has been printed, with intent to use such plate or suffer the same to be used in forging or counterfeiting any such certificate or any part thereof; and every person who prints, photographs,

or in any other manner causes to be printed, photographed, made or executed, any print or impression in the likeness of any such certificate, or any part thereof, or who sells any such certificate or brings the same into the United States from any foreign place, except by direction of some proper officer of the United States, or who has in his possession a distinctive paper which has been adopted by the proper officer of the United States for the printing of such certificate, with intent to unlawfully use the same, shall be punished by a fine of not more than ten thousand dollars, or by imprisonment at hard labor for not more than ten years, or by both such fine and imprisonment.

Penalties for Naturalization Unlawfully Procured, Etc.

That any person who knowingly procures naturalization in violation of the provisions of this Act shall be fined not more than five thousand dollars, or shall be imprisoned not more than five years, or both, and upon conviction the court in which such conviction is had shall thereupon adjudge and declare the final order admitting such person to citizenship void. Jurisdiction is hereby conferred on the courts having jurisdiction of the trial of such offense to make such adjudication. Any person who knowingly aids, advises, or encourages any person not entitled thereto to apply for or to secure naturalization, or to file the preliminary papers declaring an intent to become a citizen of the United States, or who in any naturalization proceeding knowingly procures or gives false testimony as to any material fact, or who knowingly makes an affidavit false as to any material fact required to be proved in such proceeding, shall be fined not more than five thousand dollars, or imprisoned not more than five years, or both.

TITLE II.

CHAPTER IV.

PROCEDURE FOR OBTAINING CITIZENSHIP.

How to Obtain the "First Paper."

The so-called "First Paper" is the declaration on the part of the applicant that it is his *bona fide* intention to become a citizen of the United States and to renounce all allegiance to the country of which he is a citizen or subject.

The applicant must be at least 18 years of age.

He should apply for his "First Paper" either to any Circuit or District Court of the United States in the District in which he resides or to any State Court authorized by law to confer citizenship.

He must give the following information: His name, age, place of birth, profession, business or trade, his previous residence in the foreign country, the date of his arrival, the name of the ship on which he arrived, the name of the port where he arrived, and an exact description of his person, such as height, color of hair, eyes, weight, complexion, and other visible distinctive marks; that he is not an anarchist, that he is not a polygamist, that it is his *bona fide* intention to renounce allegiance to the State of which he is a citizen or subject, that it is his intention in good faith to become a citizen of the United States of America and permanently reside therein.

All the foregoing statements must be embodied in the Declaration of Intention, and must be subscribed and sworn to by the applicant.

Printed forms to be filled in and to be signed by the applicant are provided. See form on page 81.

The "First Paper" becomes *invalid* for all purposes seven

years after the date thereof, unless the holder thereof has applied for his "Second Paper" within seven years after the date of the "First Paper." No witnesses are necessary on the application for "First Papers."

CHAPTER V.

How to Obtain the "Second Paper" or Final Certificate of Naturalization.

The application for the "Second Paper" cannot be made until two years after the date of the "First Paper," but such application must be made within seven years after the date of the "First Paper," otherwise the "First Paper" becomes invalid.

The applicant must be 21 years of age.

He must have resided continuously for *five years* in the United States, and at least *one year* in the State in which he makes his application. He should apply to one of the Courts previously mentioned.

Again he must sign a written petition and give the following information:

His full name, his place of residence, by street and number, his occupation, the date of his birth, when he emigrated to the United States, the name of the ship, the date of his arrival, the port where he arrived, whether he is married, his wife's name, the date of birth of his wife, her residence, number of his children, the name, date and place of birth and place of residence of each of such children; that he is not an anarchist, that he is not a polygamist, that it is his intention to become a citizen of the United States and renounce allegiance to any foreign potentate or State, that he is able to speak the English language, that he has resided continuously five years in the United States.

The petition must be sworn to and signed by the applicant. Printed forms are provided by the Clerk of the Court, and are in substance like the form on pages 82-83 of this book.

Witnesses.

Attached to the petition to be signed by the applicant is the statement of the two witnesses.

The witnesses must be citizens of the United States (a woman may be a witness), and must state: their occupation, residence, that they have known the applicant to be a resident of the United States for at least five years, that the applicant is a person of good moral character, attached to the principles of the Constitution of the United States and that in the opinion of the witness the applicant is qualified to be admitted to citizenship.

Certificate of Commissioner of Immigration.

If the applicant arrived in the United States after June 29, 1906, he must secure from the United States Commissioner of Immigration at the port where he arrived a certificate showing the date of his arrival. The certificate is furnished free and may be obtained by writing to the Commissioner.

(A form of the affidavit to be signed and sworn to by the witness is found on pages 83-84.)

The petition of the applicant, with the affidavit of the witnesses and the certificate of the Commissioner of Immigration (if any), are filed in Court.

Ninety Days to Elapse Before Granting of Final Certificate of Naturalization.

After the filing of the petition the names of the applicant and witnesses are posted by the Clerk in a public place in the court building.

The Final Certificate of Naturalization, however, is not granted until at least 90 days have elapsed from the date of the filing of the petition.

The applicant is usually notified on what day he shall appear in Court for the final hearing—citizenship being granted in open Court—applicant must appear on the day designated

with his witnesses and he is then examined in open Court by the judge as to his qualifications, his witnesses are examined, and if applicant's qualifications are deemed sufficient the citizenship is granted.

During the preceding ninety days or more, that is, in the interim between the filing of the petition and the final hearing, the Clerk through the various Departments, Bureaus of Immigration and Naturalization and the channels of information available to him has made inquiries whether all the statements made by the applicant or his witnesses are true.

CHAPTER VI.

Valuable Information.

You want two witnesses—naturalized or native-born citizens.

If your witnesses are naturalized they are required to have their citizen paper in Court.

Witnesses must have personally known and must have been in contact with you for at least five years.

They are required to state how and when they became acquainted with you, how often they have seen you during the five years or the period they have known you.

Take such witnesses as have seen you at least once or twice a month during the five years. Witnesses must have known you for five years at least immediately preceding the filing of your petition.

If you cannot get your witnesses to come voluntarily you may have them summoned to Court by subpoena.

If you have lived part of the five years in another State and you cannot get witnesses in the city or State where you make your application, you may have the testimony of witnesses who have known you in such other State during the time you resided there, taken before a District Attorney and forwarded to you to be used on your application.

Be very careful to answer all questions correctly, particularly the correct names of your wife and children, the correct

dates of their birth—for if you make a mistake, for instance, in the age of a child, such child cannot claim citizenship through your naturalization. Therefore do not make any errors in your answers.

Be careful that your answers are the same on your applications for first and second papers.

Don't make any false statements intentionally or unintentionally. Any false statement by you or your witnesses, if discovered within five years afterwards, may be sufficient grounds for the cancellation of your citizenship.

The following questions should be carefully studied, and if the applicant can master them he will be qualified for citizenship. The applicant should carefully read the Constitution of the United States and the Declaration of Independence, and by doing so will better understand many of the questions and answers.

TITLE III.

QUESTIONS AND ANSWERS PREPARED FOR
APPLICANTS FOR CITIZENSHIP OF THE
UNITED STATES.

CHAPTER VII.

QUESTIONS ASKED ON APPLICATION FOR YOUR
"FIRST PAPER."

Each of the following questions the applicant *must* be prepared to answer in taking out his "First Paper."

- Q. What is your age?
- Q. What is your occupation?
- Q. What is your personal description: color, complexion, height, weight, color of hair, color of eyes, other visible distinctive marks?
- Q. Where were you born and when?
- Q. Where do you now reside?
- Q. When did you emigrate to the United States of America?
- Q. From what port did you sail?
- Q. On what vessel did you come?
- Q. Is it your bona fide intention to renounce forever all allegiance and fidelity to any foreign prince, potentate, state or sovereignty, particularly of of which you are now a citizen (subject)?
- Q. At what port did you arrive?
- Q. On what date did you arrive?
- Q. Are you an anarchist?
- Q. Are you a polygamist or do you believe in the practice of polygamy?

Q. Is it your intention in good faith to become a citizen of the United States of America and to permanently reside therein?

The foregoing are all the questions asked the applicant for "First Papers" and no witnesses are necessary. All the questions, however, must be correctly answered; they are incorporated in his *Declaration of Intention* to become a citizen, which must be signed and sworn to by the applicant.

CHAPTER VIII.

QUESTIONS ASKED ON FIRST APPLICATION FOR YOUR "SECOND OR FINAL PAPER."

Each of the following questions the applicant *must* be prepared to answer at the time of applying for his "Second Paper."

Q. What is your full name?

Q. Where is your place of residence—number and street—city of—State (Territory or District) of?

Q. What is your occupation?

Q. When were you born—date and year?

Q. Where were you born?

Q. When did you emigrate to the United States—from what port or place—when—date and year?

Q. At what port in the United States did you arrive—in what vessel (ship) and when?

Q. When did you declare your intention to become a citizen of the United States (= when did you get your "First Paper")—what date—where—in what court?

Q. Are you married?

Q. What is the full name of your wife?

Q. Where was your wife born?

Q. Where does your wife reside?

Q. How many children have you?

Q. What is the name, date and place of birth and place of residence of each of your children?

Q. Do you disbelieve or are you opposed to organized government?

Q. Are you a member of or affiliated with any organization or body of persons teaching disbelief in organized government?

Q. Are you a polygamist or a believer in the practice of polygamy?

Q. Are you attached to the principles of the Constitution of the United States?

Q. Is it your intention to become a citizen of the United States and to renounce absolutely and forever all allegiance and fidelity to any foreign prince, potentate, state or sovereignty, and particularly to of which you are now a citizen (or subject)?

Q. Is it your intention to reside permanently in the United States?

Q. Are you able to speak the English language?

Q. Have you resided continuously in the United States of America for a term of five years at least immediately preceding the date of your petition (for "Second Papers")?

Q. Have you resided in the State (Territory or District) of (where you apply for "Second Papers") for one year at least next preceding the date of your petition?

Q. Have you ever made a petition for citizenship to any court before? If so—where—and why it was denied?

All the foregoing questions *must* be answered by the applicant on making his application to the Court for his "Second Paper." They are incorporated in narrative form in the petition, which must be signed and sworn to by the applicant. Many of the questions are the same as on the application for "First Papers." Care should be taken by the applicant that all the questions are answered correctly, and particularly the questions with respect to name of wife, number of children, names, date and place of birth and place of residence of each of such children, as any material error will prevent any such child from claiming citizenship of the United States through and on the ground that his father was a citizen. (Of course,

this applies only to children born out of the limits and jurisdiction of the United States.)

CHAPTER IX.

QUESTIONS FOR APPLICANT AND WITNESSES.

Questions Asked the Applicant.

Q. When did you become acquainted with your witnesses and each one of them?

Q. Where did you become acquainted with your witnesses?

Q. How did you become acquainted with your witnesses—with each one?

(State all the circumstances—when, where and how you met them the first time in the United States.)

Q. How often have you seen each of your witnesses during the past five years?

Questions Asked the Witnesses.

Q. What is your name and occupation?

Q. Where do you reside?

Q. Are you a citizen of the United States? (Witnesses must be citizens.)

Q. How long have you *personally* known the applicant?

Q. Have you personally known the applicant to be a resident of the United States for a period of at least five years continuously immediately preceding the date of the filing of the petition—and of the State (Territory or District) of—(in which the application is made) for a period of one year at least preceding the date of the filing of the petition? State how long.

Q. When, where and how did you first meet or become acquainted with the applicant? (State the circumstances of the first acquaintance—this must substantially correspond with the statements made by the applicant in answer to the like question.)

Q. How often during the time of your acquaintance have you seen the applicant?

Q. Do you know of your own personal knowledge that the applicant is a person of good moral character?

Q. Do you know of your own personal knowledge that the applicant is attached to the principles of the Constitution of the United States?

Q. In your opinion, is the applicant qualified in every way to be admitted as a citizen of the United States?

All the foregoing questions must be answered by each of the two witnesses. The answers are incorporated in narrative form in the witnesses' affidavit, which must be signed and sworn to by each of the witnesses.

The affidavit of the witnesses is attached to the petition of the applicant—and petition of applicant and affidavit of witnesses are filed with the Clerk of the Court.

This concludes the first step in the application for "Second Papers."

Ninety days at least must elapse after the filing of the petition, after which the applicant and his witnesses must again appear in Court; the applicant and witnesses to be finally examined as to whether the applicant is properly qualified to be admitted to citizenship. The applicant will be notified by the clerk when to appear with his witnesses.

This last examination takes place in open court before a Justice.

The witnesses will be asked practically the same questions as above stated.

The applicant, however, now faces his final examination, during which he must show to the satisfaction of the presiding Justice that he possesses a sufficient knowledge of the Constitution, Form of Government of the United States, the various States, etc., as will qualify him to be admitted to citizenship.

The applicant should thoroughly study the following questions and answers, read the Constitution and Declaration of

Independence contained in this book, and compare the same with the questions and answers.

Though it may be possible that some of the questions may be asked in another form, if the applicant thoroughly familiarizes himself with the meaning of the questions and with the answers thereto he will be sufficiently qualified to be admitted to citizenship.

The applicant should have no fear, and answer the questions asked by the Justice or District Attorney frankly—for one wrong answer will not disqualify him and the judge is quick to see whether the applicant has studied the questions, and in such case will usually render him assistance in passing the examination by asking the question over again or in another way so as to guide the applicant to a correct answer.

CHAPTER X.

QUESTIONS ASKED BY THE COURTS WITH THE ANSWERS THERETO AT THE FINAL HEARING.

Concerning Particularly the Constitution of the United States, the Form of our National and State Governments, Etc.

Q. Under what form of government do we live?

A. We live under a Republican form of Government—in other words—our Government is a Republic.

Q. What is a Republic?

A. A representative government—that is, a government by the people.

Q. Have we an emperor, a king or other ruler?

A. No.

Q. What is a Monarchy?

A. A country ruled by an emperor or king.

Q. What is the difference between a Republic, such as we have, and a Monarchy?

A. Under a Monarchy the laws are made by the emperor or king, while in our country the laws are made by the people

through elected representatives—in other words, in a Monarchy the king rules while in this country the people rule.

CONSTITUTION.

Q. Which is the highest law in the United States?

A. The Constitution.

Q. What is the Constitution?

A. It is the fundamental law of the country—to which all other laws must be subject.

Q. Did you ever read the Constitution?

A. Yes.

Q. What are the purposes of the Constitution?

A. To establish and secure justice and equal rights to all—and the blessings of liberty to ourselves and our posterity.

Q. Who made the Constitution?

A. The representatives of the thirteen original colonies.

Q. When was the Constitution of the United States adopted?

A. September 17th, 1787. In the Constitutional Convention, Congress and the several States accepted it.

Q. Where was it adopted?

A. In Philadelphia.

Q. What are the names of those thirteen original States?

A. They are Maryland, New Hampshire, Massachusetts, Connecticut, Pennsylvania, Virginia, New Jersey, New York, Delaware, South Carolina, North Carolina, Georgia, Rhode Island.

Q. How can the Constitution be amended?

A. Amendments to the Constitution must be proposed by a two-thirds majority of both houses of Congress and approved by three-quarters of the States of the Union.

Q. Has the Constitution ever been amended since its original adoption?

A. Yes.

Q. How many amendments are there to the Constitution?

A. ~~Fifteen~~ 19

Q. Into how many branches has the Constitution divided the Government of the United States?

A. Into three branches.

Q. What are they?

A. The Legislative, the Executive and the Judicial.

Q. What constitutes the Legislative Branch of the United States Government?

A. Congress.

Q. What constitutes the Executive Branch?

A. The President and his Cabinet.

Q. And what constitutes the Judicial Branch?

A. The Supreme Court of the United States.

Q. Why was the U. S. Government divided into three Branches?

A. To prevent the whole power of government from being lodged in one man or one body, therefore the division—that one branch should act as a check upon the other.

Congress. (The Legislative Branch.)

Q. Who makes the laws of the United States?

A. Congress, at Washington.

Q. Does the Congress alone make the laws?

A. Yes, but the President must sign the laws made by Congress.

Q. What does the Congress consist of?

A. The Congress of the United States consists of two Houses, which are—the Senate and the House of Representatives.

Q. How many members has the Senate?

A. Two from every State of the Union.

Q. Are the Senators elected directly by the people?

A. *No. Yes*

Q. How are the United States Senators appointed?

A. ~~The Legislature of each State of the Union appoints two Senators.~~

Q. How long is their term of office?

A. United States Senators are elected for six years.

Q. How are the members of the House of Representatives elected?

A. By direct vote of the people.

Q. For how long a term are they elected?

A. For two years.

Q. How many members of the House of Representatives may each State have?

A. One Representative for about every ^{211,000} 191,000 inhabitants; (but a State having less inhabitants is entitled to a Representative in Congress).

Q. How are the Congressional Districts formed?

A. The Congress allots to each State of the Union as many Representatives as such respective State is entitled to, according to its population; but the Legislature of each State divides the State into Congressional Districts.

Q. Congress meets how often?

A. Once, yearly, on the first Monday of December.

Q. What are the powers of Congress?

A. To impose taxes, to borrow money on the credit of the United States, to regulate commerce with foreign nations, to establish a uniform system of naturalization, to coin money, to establish post-offices and roads, to declare war, to raise and support armies, etc.

President, Vice-President, The Cabinet. (The Executive Branch of the Government.)

Q. Who is chief executive officer of the United States?

A. The President.

Q. Where is the seat of government of the United States and the President?

A. At Washington, District of Columbia.

Q. Who elects the President of the United States?

A. Indirectly the people; that is, the people of each State elect a certain number of electors, and the electors thus elected by the people elect the President. The electors are

apportioned among the States according to population. New York elects the largest number of electors.

Q. For how long is the President elected?

A. For four years.

Q. If no candidate for President receives a majority of the votes of the electors, who elects the President in such case?

A. The House of Representatives elects the President in such a case.

Q. What are the duties and power of the President?

A. He shall be commander-in-chief of the army and navy of the United States. He shall see that the laws are enforced. He shall have power to make treaties with the consent of the Senate. He shall appoint ambassadors and other public ministers and consuls. He can veto laws made by Congress.

Q. Where does the President preside?

A. Over his Cabinet, which consists of the Secretaries of the State, Treasury, War, Navy, Interior, Agriculture, the Attorney-General, the Postmaster-General and the Secretary of Commerce and Labor.

Q. How are the laws of the United States adopted?

A. A bill in order to become a law, must first be adopted by the House of Representatives, then by the Senate, then it must be signed by the President, before it becomes a law.

Q. Is it necessary that every law be signed by the President?

A. No; if the President retains a bill for ten days without signing or vetoing it, the bill becomes a law without his signature.

Q. If the President refuses to sign or veto a bill which has passed both Houses of Congress, to wit: the Senate and the House of Representatives, can it still become a law?

A. Yes; but in such case Congress must pass the bill again by a two-thirds majority of the Senate and of the House of Representatives, and it then becomes a law without the President's signature.

Q. Can a naturalized citizen become President of the United States?

A. No; only a native-born citizen, not less than 35 years of age, can become President.

Q. If the President dies, who becomes the President?

A. The Vice-President; and if the Vice-President dies, the Secretary of State, down to the last member of the President's Cabinet.

Q. How is the Vice-President elected?

A. In the same manner as the President.

Q. Over what body does the Vice-President preside?

A. Over the Senate of the United States.

Q. Who was the first President of the United States?

A. George Washington—from 1789 to 1793.

Q. Who is the present President?

A. Woodrow Wilson.

Q. May a native-born woman become President of the United States?

A. Yes.

United States Supreme Court and United States Courts. (Constituting the Judicial Branch of the Government.)

Q. What is the highest Court in the United States?

A. United States Supreme Court at Washington.

Q. What are the powers and duties of the Supreme Court at Washington?

A. To define and interpret the meaning of the Constitution; to decide whether laws enacted by Congress or State laws are in conformity or against the principles and meaning of the Constitution, and to declare any law in conflict with the Constitution to be unconstitutional, as the Constitution is our highest law, coming directly from the people.

Q. Who appoints the judges of the United States Courts?

A. They are appointed for life by the President, but with the advice and consent of the Senate.

Q. Is every citizen who is accused of a crime, entitled to have a trial by jury?

A. Yes, under the Constitution.

Q. What is a jury?

A. Twelve men selected by the accused and the people, who hear the evidence and either acquit or convict the accused.

Q. State the duties of a United States citizen?

A. To obey the laws and to defend the country in times of war.

Q. How many stars are there in the flag of the United States?

A. Forty-eight—one star for each State.

Q. How many States has the Union?

A. Forty-eight.

Q. Did you read the Declaration of Independence?

A. Yes.

Q. What is the date of the Declaration of Independence and when did our country declare its independence?

A. July 4, 1776, on which date it was signed in Congress by the deputies of the thirteen original colonies.

STATE LAWS.

(The following questions and answers have particular reference to the State and City of New York, but the questions may be adopted for each State.)

Q. Can you name any other laws besides those made by Congress at Washington?

A. Yes; each State makes its own laws.

Q. Who makes the laws in each State?

A. The Legislature of each State, which consists of a Senate and an Assembly—the Senate being the Upper House and the Assembly the Lower House.

Q. How are the members of the Senate and the members of the Assembly of each State elected?

A. By direct vote of the people.

Q. Who is the head of the government of a State?

A. The Governor of each State.

Q. Who elects the Governor of a State?

A. By direct vote of the people.

Q. What are the powers and duties of the Governor of a State?

A. To enforce the laws of the State; to sign all bills passed by the Legislature; if the Governor vetoes a bill the Legislature may pass the bill again with a two-thirds majority, and it then becomes a law without the signature of the Governor.

Q. Who makes the laws of the State of New York?

A. The Legislature at Albany, consisting of the State Senate and the State Assembly.

Q. How many members has the Senate at Albany?

A. Fifty-one members; each State Senator is elected for two years.

Q. How many members has the Assembly at Albany?

A. One hundred and fifty members; each Assemblyman is elected for one year.

Q. What is the term of office of the Governor of the State of New York?

A. Two years.

Q. Name the capital of the State of New York?

A. Albany.

Q. Who makes the laws for the government of the City of New York?

A. The Legislature at Albany.

Q. What is the title of the chief executive officer of the City Government?

A. The Mayor.

Q. What is the term of office of the Mayor of the City of New York?

A. Four years; he is elected by the people.

Q. May the Mayor of the City of New York veto a law made at Albany for the government of the City of New York?

A. Yes; but in such case, the Legislature may pass the bill again, and if so passed again it becomes a law.

Q. Do you know what a City Ordinance is?

A. Yes; a law for the regulation of the matters and affairs not provided for by the Legislature at Albany.

Q. Who makes the City Ordinances?

A. The Municipal Assembly—Board of Aldermen.

TITLE IV.

CHAPTER XI.

THE DECLARATION OF INDEPENDENCE.

In Congress, July 4th, 1776.

THE UNANIMOUS DECLARATION OF THE THIRTEEN
ORIGINAL COLONIES (UNITED STATES) OF AMERICA.

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident: that all men are created equal; that they are endowed, by their creator, with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form as to them shall seem most likely to affect their safety and happiness. Prudence, indeed, will dictate, that governments long established should not be changed for light and transient causes; and accordingly, all experience hath shown, that mankind are more disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute

despotism, it is their right, it is their duty to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies; and such is now the necessity which constrains them to alter their former systems of government. The history of the present king of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world.

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation, till his assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature—a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the repository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative houses repeatedly, for opposing, with manly firmness, his invasions on the rights of the people.

He has refused, for a long time after such dissolutions, to cause others to be elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large, for their exercise, the state remaining, in the mean time, exposed to all the dangers of invasion from without, and convulsions within.

He has endeavored to prevent the population of these states; for that purpose obstructing the laws for naturalization of foreigners; refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers, to harass our people, and eat out their substance.

He has kept among us, in times of peace, standing armies, without the consent of our legislatures.

He has affected to render the military independent of, and superior to, the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his assent to their acts of pretended legislation:

For quartering large bodies of armed troops among us:

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states:

For cutting off our trade with all parts of the world:

For imposing taxes on us without our consent:

For depriving us, in many cases, of the benefits of trial by jury:

For transporting us beyond seas to be tried for pretended offences:

For abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies:

For taking away our charters, abolishing our most valuable laws, and altering, fundamentally, the forms of our government:

For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here by declaring us out of his protection, and waging war against us.

He has plundered our seas, ravaged our coasts, burnt our towns and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny already begun, with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrections among us, and has endeavored to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

In every stage of these oppressions we have petitioned for redress in the most humble terms; our repeated petitions have been answered only by repeated injury. A prince whose character is thus marked by every act which may define a tyrant is unfit to be the ruler of a free people.

Nor have we been wanting in attentions to our British brethren. We have warned them, from time to time, of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They, too, have been deaf to the voice of justice and consanguinity. We must, therefore, acquiesce in the necessity which denounces our separation, and hold them, as we hold the rest of mankind, enemies in war, in peace friends.

We, therefore, the representatives of the United States of America, in General Congress assembled, appealing to the

Supreme Judge of the world for the rectitude of our intentions, to, in the name and by the authority of the good people of these colonies, solemnly publish and declare that these United Colonies are, and of right ought to be, free and independent States; that they are absolved from all allegiance to the British crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved; and that, as free and independent States, they have full power to levy war, conclude peace, contract alliance, establish commerce, and to do all other acts and things which independent States may of right do. And for the support of this declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

Signed by order and in behalf of the Congress.

JOHN HANCOCK, President.

Attested, CHARLES THOMPSON, Secretary.

NEW HAMPSHIRE.

JOSHIAH BARTLETT,
WILLIAM WHIPPLE,
MATTHEW THORNTON.

BENJAMIN RUSH,
BENJAMIN FRANKLIN,
JOHN MORTON,
GEORGE CLYMER,
JAMES SMITH,
GEORGE TAYLOR,
JAMES WILSON,
GEORGE ROSS.

RHODE ISLAND, ETC.

STEPHEN HOPKINS,
WILLIAM ELLELY.

NEW YORK.

WILLIAM FLOYD,
PHILLIP LIVINGSTON,
FRANCIS LEWIS,
LEWIS MORRIS.

PENNSYLVANIA.

ROBERT MORRIS,

VIRGINIA.

GEORGE WYTHE,
RICHARD HENRY LEE,
THOMAS JEFFERSON,
BENJAMIN HARRISON,
THOMAS NELSON, JR.,
FRANCIS LIGHTFOOT LEE,
CARTER BRAXTON.

SOUTH CAROLINA.

EDWARD RUTLEDGE,
THOMAS HAYWOOD, JR.,
THOMAS LYNCH, JR.,
ARTHUR MIDDLETON.

JOHN HART,
ABRAHAM CLARK.

DELAWARE.

CAESAR RODNEY,
GEORGE READ,
THOMAS M'KEAN.

MASSACHUSETTS BAY.

SAMUEL ADAMS,
JOHN ADAMS,
ROBERT TREAT PAINE,
ELDRIDGE GERRY.

MARYLAND.

SAMUEL CHASE,
WILLIAM PACA,
THOMAS STONE,
CHARLES CARROLL,
of Carrollton.

CONNECTICUT.

ROGER SHERMAN,
SAMUEL HUNTINGDON,
WILLIAM WILLIAMS,
OLIVER WOLCOTT.

NORTH CAROLINA.

WILLIAM HOOPER,
JOSEPH HEWES,
JOHN PENN.

NEW JERSEY.

RICHARD STOCKTON,
JOHN WITHERSPOON,
FRANCIS HOPKINSON,

GEORGIA.

BUTTON GWINNETT,
LYMAN HALL,
GEORGE WALTON.

CHAPTER XII.

CONSTITUTION OF THE UNITED STATES.

PREAMBLE.

WE, the People of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE I.

LEGISLATIVE DEPARTMENT.

Section 1. Division into Two Houses.

1. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2. House of Representatives.

1. The House of Representatives shall be composed of members chosen every second year by the people of the several States; and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

2. No person shall be a Representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

3. Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each State shall have at least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose *three*; Massachusetts, *eight*; Rhode Island and Providence Plantations, *one*; Connecticut, *five*; New York, *six*; New Jersey, *four*; Pennsylvania, *eight*; Delaware,

one; Maryland, *six*; Virginia, *ten*; North Carolina, *five*; South Carolina, *five*; and Georgia, *three*.

4. When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies.

5. The House of Representatives shall choose their Speaker and other officers, and shall have the sole power of impeachment.

Section 3. Senate.

1. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six years; and each Senator shall have one vote.

2. Immediately after they shall be assembled in consequence of the first election, they shall be divided, as equally as may be, into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year; of the second class at the expiration of the fourth year; and of the third class at the expiration of the sixth year; so that one-third may be chosen every second year; and if vacancies happen, by resignation or otherwise, during the recess of the Legislature of any State, the Executive thereof may make temporary appointments, until the next meeting of the Legislature, which shall then fill such vacancies.

3. No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

4. The Vice-President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided.

5. The Senate shall choose their other officers, and also a President *pro tempore*, in the absence of the Vice-President, or when he shall exercise the office of President of the United States.

6. The Senate shall have the sole power to try all impeachments; when sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief-Justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

7. Judgment, in cases of impeachment, shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit, under the United States; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment and punishment, according to law.

Section 4. Elections and Meetings of Congress.

1. The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time, by law, make or alter such regulations, except as to the places of choosing Senators.

2. The Congress shall assemble at least once in every year; and such meeting shall be on the first Monday in December, unless they shall, by law, appoint a different day.

Section 5. Powers and Duties of the Houses.

1. Each House shall be the judge of the elections, returns, and qualifications of its own members; and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties, as each House may provide.

2. Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

3. Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may, in their judgment, require secrecy; and the yeas and

nays of the members of either House, on any question, shall, at the desire of one-fifth of those present, be entered on the journal.

4. Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

Section 6. Privileges of and Prohibitions upon Members.

1. The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the Treasury of the United States. They shall, in all cases except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place.

2. No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased, during such time; and no person holding any office under the United States shall be a member of either House during his continuance in office.

Section 7. Revenue Bills: President's Veto.

1. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose, or concur with, amendments, as on other bills.

2. Every bill which shall have passed the House of Representatives and the Senate shall, before it becomes a law, be presented to the President of the United States; if he approve, he shall sign it; but if not, he shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that

House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and, if approved by two-thirds of that House, it shall become a law. But, in all such cases, the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bills shall be entered on the journal of each House respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress, by their adjournment, prevent its return, in which case it shall not be a law.

3. Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment), shall be presented to the President of the United States, and before the same shall take effect, shall be approved by him, or, being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill. ✓

Section 8. Legislative Powers of Congress.

The Congress shall have power :

1. To lay and collect taxes, duties, imposts, and excises to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States:

2. To borrow money on the credit of the United States:

3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes:

4. To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States:

5. To coin money; to regulate the value thereof, and of foreign coin; and fix the standard of weights and measures:

6. To provide for the punishment of counterfeiting the securities and current coin of the United States:

7. To establish post-offices and post-roads:

8. To promote the progress of science and useful arts, by securing for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries:

9. To constitute tribunals inferior to the Supreme Court:

10. To define and punish piracies and felonies committed on the high seas, and offences against the law of nations:

11. To declare war; grant letters of marque and reprisal; and make rules concerning captures on land and water:

12. To raise and support armies; but no appropriation of money to that use shall be for a longer term than two years:

13. To provide and maintain a navy:

14. To make rules for the government and regulation of the land and naval forces:

15. To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions:

16. To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States; reserving to the States respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress:

17. To exercise exclusive legislation in all cases whatsoever over such district (not exceeding ten miles square) as may, by cession of particular States and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the Legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings: And

18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

Section 9. Prohibitions upon the United States.

1. The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight; but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

2. The privilege of the writ of habeas corpus shall not be suspended unless when, in cases of rebellion or invasion, the public safety may require it.

3. No bill of attainder or ex post facto law shall be passed.

4. No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

5. No tax or duty shall be laid on articles exported from any State. No preference shall be given, by any regulation of commerce or revenue, to the ports of one State over those of another; nor shall vessels bound to or from one State be obliged to enter, clear, or pay duties in another.

6. No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

7. No title of nobility shall be granted by the United States; and no person holding any office of profit or trust under them shall, without the consent of the Congress, accept of any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign State.

Section 10. Prohibitions upon the States.

1. No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex

post facto law, or law impairing the obligation of contracts; or grant any title of nobility.

2. No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts laid by any State on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the Congress. No State shall, without the consent of Congress, lay any duty on tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II.

EXECUTIVE DEPARTMENT: THE PRESIDENT AND VICE-PRESIDENT.

Section 1. Term—Election—Qualifications—Salary—Oath of Office.

1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice-President, chosen for the same term, be elected as follows:

2. Each State shall appoint, in such manner as the Legislature thereof may direct, a number of Electors equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an Elector.

The following clause has been superseded by Article XII of the Amendments:

3. The Electors shall meet in their respective States, and vote by ballot for two persons, of whom one at least shall

not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each, which list they shall sign and certify, and transmit, sealed, to the seat of the government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of Electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President; and if no person have a majority, then, from the five highest on the list, the said House shall, in like manner, choose the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of the States shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the Electors shall be the Vice-President. But if there should remain two or more who have equal votes, the Senate shall choose from them, by ballot, the Vice-President.

4. The Congress may determine the time of choosing the Electors, and the day on which they shall give their votes, which day shall be the same throughout the United States.

5. No person except a native-born citizen, or a citizen of the United States at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

6. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the

powers and duties of the said office, the same shall devolve on the Vice-President, and the Congress may, by law, provide for the case of removal, death, resignation, or inability, both of the President and Vice-President, declaring what officer shall then act as President; and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

7. The President shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected; and he shall not receive, within that period, any other emolument from the United States, or any of them.

8. Before he enter on the execution of his office, he shall take the following oath or affirmation:

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States; and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States."

Section 2. President's Executive Powers.

1. The President shall be commander-in-chief of the army and navy of the United States, and of the militia of the several States when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive Departments upon any subject relating to the duties of their respective offices; and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

2. He shall have power by and with the advice and consent of the Senate to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate shall appoint, ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may,

by law, vest the appointment of such inferior officers as they think proper, in the President alone, in the courts of law, or in the Heads of Departments.

3. The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

Section 3. President's Executive Powers—Continued.

1. He shall from time to time give to the Congress information of the state of the Union; and recommend to their consideration such measures as he shall judge necessary and expedient. He may, on extraordinary occasions, convene both Houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper. He shall receive ambassadors and other public ministers. He shall take care that the laws be faithfully executed; and shall commission all the officers of the United States.

Section 4. Impeachment.

1. The President, Vice-President, and all civil officers of the United States shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

ARTICLE III.

JUDICIAL DEPARTMENT.

Section 1. Courts—Terms of Office.

1. The judicial power of the United States shall be vested in one Supreme Court, and in such inferior Courts as the Congress may, from time to time, ordain and establish. The judges both of the Supreme and inferior Courts shall hold their offices during good behavior; and shall, at stated times, receive for their services a compensation which shall not be diminished during their continuance in office.

Section 2. Jurisdiction.

1. The judicial power shall extend to all cases in law and equity arising under this Constitution, the laws of the United States and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party, to controversies between two or more States; between a State and citizens of another State; between citizens of different States; between citizens of the same State claiming lands under grants of different States; and between a State, or the citizens thereof, and foreign States, citizens, or subjects.

2. In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations, as the Congress shall make.

3. The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

Section 3. Treason.

1. Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

2. The Congress shall have power to declare the punishment of treason; but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

ARTICLE IV.

RELATIONS OF STATES.

Section 1. Public Records.

1. Full faith and credit shall be given, in each State, to the public acts, records, and judicial proceedings of every other State. And the Congress may, by general laws, prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

Section 2. Rights in One State of Citizens of Another.

1. The citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States.

2. A person charged in any State with treason, felony, or other crime, who shall flee from justice and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

3. No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor; but shall be delivered up on claim of the party to whom such service or labor may be due.

Section 3. New States—Territories.

1. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State, nor any State be formed by the junction of two or more States, or parts of States, without the consent of the Legislatures of the States concerned, as well as of the Congress.

2. The Congress shall have power to dispose of, and make all needful rules and regulations respecting, the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to preju-

dice any claims of the United States, or of any particular State.

Section 4. Protection afforded to States by the Nation.

1. The United States shall guarantee to every State in this Union a republican form of government; and shall protect each of them against invasion, and on application of the Legislature, or of the Executive (when the Legislature cannot be convened), against domestic violence.

ARTICLE V.

AMENDMENT.

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the Legislatures of two-thirds of the several States, shall call a convention for proposing amendments; which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI.

NATIONAL DEBTS—SUPREMACY OF NATIONAL LAW—OATH.

1. All debts contracted, and engagements entered into, before the adoption of this Constitution shall be as valid against the United States under this Constitution as under the Confederation.

2. This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties

made or which shall be made under the authority of the United States, shall be the supreme law of the land, and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

3. The Senators and Representatives before mentioned, and the members of the several Legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound, by oath or affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII.

ESTABLISHMENT OF CONSTITUTION.

The ratification of the conventions of nine States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

[Constitution ratified by States, 1787-1790.]

AMENDMENTS.

ARTICLE I.

FREEDOM OF RELIGION, OF SPEECH, AND OF THE PRESS—RIGHT OF PETITION.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

[Adopted 1791.]

ARTICLE II.

RIGHT TO KEEP ARMS.

A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

[Adopted 1791.]

ARTICLE III.

QUARTERING OF SOLDIERS IN PRIVATE HOUSES.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in a time of war, but in a manner to be prescribed by law.

[Adopted 1791.]

ARTICLE IV.

SEARCH WARRANTS.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or things to be seized.

[Adopted 1791.]

ARTICLE V.

CRIMINAL PROCEEDINGS.

No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when in actual service, in time of war or public danger; nor shall any person be subject, for the same offence, to be twice put in jeopardy of life or limb, nor shall be compelled, in any criminal case, to be a witness against himself; nor be deprived of life, liberty, or property without due process of law; nor shall private property be taken for public use without just compensation.

[Adopted 1791.]

ARTICLE VI.

CRIMINAL PROCEEDINGS.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained

by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defence.

[Adopted 1791.]

ARTICLE VII.

JURY TRIAL IN CIVIL CASES.

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any court of the United States than according to the rules of the common law.

[Adopted 1791.]

ARTICLE VIII.

EXCESSIVE PUNISHMENTS.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

[Adopted 1791.]

ARTICLE IX.

RIGHTS OF PEOPLE NOT NAMED.

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

[Adopted 1791.]

ARTICLE X.

POWERS RESERVED TO STATES.

The powers not delegated to the United States, by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

[Adopted 1791.]

ARTICLE XI.

SUITS AGAINST STATES.

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or

prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign State.
[Adopted 1798.]

ARTICLE XII.

ELECTION OF PRESIDENT AND VICE-PRESIDENT.

1. The Electors shall meet in their respective States and vote by ballot for President and Vice-President, one of whom at least shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit, sealed, to the seat of the government of the United States, directed to the President of the Senate;—the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted;—the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then, from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the Representatives from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.

2. The person having the greatest number of votes as

Vice-President shall be the Vice-President, if such number be a majority of the whole number of Electors appointed; and if no person have a majority, then, from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice.

3. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

[Adopted 1804.]

ARTICLE XIII.

SLAVERY.

Section 1. Abolition of Slavery.

Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. Power of Congress.

Congress shall have power to enforce this article by appropriate legislation.

[Adopted 1865.]

ARTICLE XIV.

CIVIL RIGHTS—APPORTIONMENT OF REPRESENTATIVES—POLITICAL DISABILITIES—PUBLIC DEBT.

Section 1. Civil Rights.

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without

due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2. Apportionment of Representatives.

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of Electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section 3. Political Disabilities.

No person shall be a Senator or Representative in Congress, or Elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.

Section 4. Public Debt.

The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United

States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for loss or emancipation of any slave; but all such debts, obligations, and claims shall be held illegal and void.

Section 5. Power of Congress.

The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

[Adopted 1868.]

ARTICLE XV.

RIGHT OF SUFFRAGE.

Section 1. Right of Negro to Vote.

The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude.

Section 2. Power of Congress.

The Congress shall have power to enforce this article by appropriate legislation.

[Adopted 1870.]

CHAPTER XIII.

NATURALIZATION LAWS AND REGULATIONS.

NATURALIZATION LAWS.

[In regard to the acquisition of citizenship by other means than naturalization, see Sections 1992 to 1995, inclusive, of the United States Revised Statutes. See also Section 2172 of the Revised Statutes.]

United States Revised Statutes.

TITLE, NATURALIZATION.

Honorably Discharged Soldiers Exempt from Certain Formalities.

Sec. 2166. Any alien, of the age of twenty-one years and

upward, who has enlisted, or may enlist, in the armies of the United States, either the regular or the volunteer forces, and has been, or may be hereafter, honorably discharged, shall be admitted to become a citizen of the United States, upon his petition, without any previous declaration of his intention to become such; and he shall not be required to prove more than one year's residence within the United States previous to his application to become such citizen; and the court admitting such alien shall, in addition to such proof of residence and good moral character, as now provided by law, be satisfied by competent proof of such person's having been honorably discharged from the service of the United States.

Aliens of African Nativity and Descent.

Sec. 2169. (As amended, 1875.)—The provisions of this title shall apply to aliens being free white persons, and to aliens of African nativity and to persons of African descent.

Naturalization to Alien Enemies Prohibited.

Sec. 2171. No alien who is a native citizen or subject, or a denizen of any country, state or sovereignty with which the United States are at war, at the time of his application, shall be then admitted to become a citizen of the United States; but persons resident within the United States, or the Territories thereof, on the eighteenth day of June, in the year one thousand eight hundred and twelve, who had before that day made a declaration, according to law, of their intention to become citizens of the United States, or who were on that day entitled to become citizens, without making such declaration, may be admitted to become citizens thereof, notwithstanding they were alien enemies at the time and in the manner prescribed by the laws heretofore passed on that subject; nor shall anything herein contained be taken or construed to interfere with or prevent the apprehension and removal, agreeably to law, of any alien enemy at any time previous to the actual naturalization of such alien.

Alien Seamen of Merchant Vessels.

Sec. 2174. Every seaman, being a foreigner, who declares his intention of becoming a citizen of the United States in any competent court, and shall have served three years on board of a merchant vessel of the United States subsequent to the date of such declaration, may, on his application to any competent court, and the production of his certificate of discharge and good conduct during that time, together with the certificate of his declaration of intention to become a citizen, be admitted a citizen of the United States; and every seaman, being a foreigner, shall, after his declaration of intention to become a citizen of the United States, and after he shall have served such three years, be deemed a citizen of the United States for the purpose of manning and serving on board any merchant vessel of the United States, anything to the contrary in any act of Congress notwithstanding; but such seaman shall, for all purposes of protection as an American citizen, be deemed such, after the filing of his declaration of intention to become such citizen.

TWENTY-SECOND STATUTES AT LARGE, PAGE 58.

Naturalization of Chinese Prohibited.

Sec. 14. That hereafter no State court or court of the United States shall admit Chinese to citizenship; and all laws in conflict with this act are hereby repealed.

TWENTY-EIGHTH STATUTES AT LARGE, PAGE 124.

Aliens Honorably Discharged from Service in Navy or Marine Corps.

Any alien of the age of twenty-one years and upward who has enlisted or may enlist in the United States Navy or Marine Corps, and has served or may hereafter serve five consecutive years in the United States Navy or one enlistment in the United States Marine Corps, and has been or may hereafter

be honorably discharged, shall be admitted to become a citizen of the United States upon his petition, without any previous declaration of his intention to become such; and the court admitting such alien shall, in addition to proof of good moral character, be satisfied by competent proof of such person's service in and honorable discharge from the United States Navy or Marine Corps.

AN ACT TO VALIDATE CERTAIN CERTIFICATES OF NATURALIZATION.

[Stat. 1905-6, Part I, 630.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That naturalization certificates issued after the Act approved March third, nineteen hundred and three, entitled "An Act to regulate the immigration of aliens into the United States," went into effect, which fail to show that the courts issuing said certificates complied with the requirements of section thirty-nine of said Act, but which were otherwise lawfully issued, are hereby declared to be as valid as though said certificates complied with said section. Provided, That in all such cases applications shall be made for new naturalization certificates, and when the same are granted, upon compliance with the provisions of said Act of nineteen hundred and three, they shall relate back to the defective certificates, and citizenship shall be deemed to have been perfected at the date of the defective certificate.

Sec. 2. That all the records relating to naturalization, all declarations of intention to become citizens of the United States, and all certificates of naturalization filed, recorded, or issued prior to the time when this Act takes effect in or from the criminal court of Cook County, Illinois, shall for all purposes be deemed to be and to have been made, filed, recorded, or issued by a court with jurisdiction to naturalize aliens, but shall not be by this Act further validated or legalized.

Approved, June 29, 1906.

CHAPTER XIV.

NATURALIZATION ACT OF JUNE 29, 1906.

An Act to Establish a Bureau of Immigration and Naturalization, and to Provide for a Uniform Rule for the Naturalization of Aliens Throughout the United States.

[Stat. 1905-6, Part I, p. 596.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the designation of the Bureau of Immigration in the Department of Commerce and Labor is hereby changed to the "Bureau of Immigration and Naturalization," which said Bureau, under the direction and control of the Secretary of Commerce and Labor, in addition to the duties now provided by law, shall have charge of all matters concerning the naturalization of aliens. That it shall be the duty of the said Bureau to provide, for use at the various immigration stations throughout the United States, books of record, wherein the commissioners of immigration shall cause a registry to be made in the case of each alien arriving in the United States from and after the passing of this Act of the name, age, occupation, personal description (including height, complexion, color of hair and eyes), the place of birth, the last residence, the intended place of residence in the United States, and the date of arrival of said alien, and, if entered through a port, the name of the vessel in which he comes. And it shall be the duty of said commissioners of immigration to cause to be granted to such alien a certificate of such registry, with the particulars thereof.

Sec. 2. That the Secretary of Commerce and Labor shall provide the said Bureau with such additional furnished offices within the city of Washington, such books of record and facilities, and such additional assistants, clerks, stenographers, typewriters, and other employees as may be necessary for the proper discharge of the duties imposed by this Act upon such

Bureau, fixing the compensation of such additional employees until July first, nineteen hundred and seven, within the appropriations made for that purpose.

Sec. 3. That exclusive jurisdiction to naturalize aliens as citizens of the United States is hereby conferred upon the following specified courts:

United States and district courts now existing, or which may hereafter be established by Congress in any State, United States district courts for the Territories of Arizona, New Mexico, Oklahoma, Hawaii, and Alaska, the supreme court of the District of Columbia, and the United States courts for the Indian Territory; also all courts of record in any State or Territory now existing, or which may hereafter be created, having a seal, a clerk, and jurisdiction in actions at law or equity, or law and equity, in which the amount in controversy is unlimited.

That the naturalization jurisdiction of all courts herein specified, State, Territorial, and Federal, shall extend only to aliens resident within the respective judicial districts of such courts.

The courts herein specified shall, upon the requisition of the clerks of such courts, be furnished from time to time by the Bureau of Immigration and Naturalization with such blank forms as may be required in the naturalization of aliens, and all certificates of naturalization shall be consecutively numbered and printed on safety paper furnished by said Bureau.

Sec. 4. That an alien may be admitted to become a citizen of the United States in the following manner and not otherwise:

First. He shall declare on oath before the clerk of any court authorized by the Act to naturalize aliens, or his authorized deputy, in the district in which such alien resides, two years at least prior to his admission, and after he has reached the age of eighteen years, that it is bona fide his intention to become a citizen of the United States, and to renounce for-

ever all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, and particularly, by name, to the prince, potentate, state, or sovereignty of which the alien may be at the time a citizen or subject. And such declaration shall set forth the name, age, occupation, personal description, place of birth, last foreign residence and allegiance, the date of arrival, the name of the vessel, if any, in which he came to the United States, and the present place of residence in the United States of said alien: Provided, however, That no alien who, in conformity with the law in force at the date of his declaration, has declared his intention to become a citizen of the United States shall be required to renew such declaration.

Second. Not less than two years or more than seven years after he has made such declaration of intention he shall make and file, in duplicate, a petition in writing, signed by the applicant in his own handwriting and duly verified, in which petition such applicant shall state his full name, his place of residence (by street and number, if possible), his occupation, and, if possible, the date and place of his birth; the place from which he emigrated, and the date and place of his arrival in the United States, and, if he entered through a port, the name of the vessel on which he arrived; the time when and the place and name of the court where he declared his intention to become a citizen of the United States; if he is married he shall state the name of his wife and, if possible, the country of her nativity and her place of residence at the time of filing his petition; and if he has children, the name, date, and place of birth and place of residence of each child living at the time of the filing of his petition; Provided, That if he has filed his declaration before the passage of this Act he shall not be required to sign the petition in his own handwriting.

The petition shall set forth that he is not a disbeliever in or opposed to organized government, or a member of or affiliated with any organization or body of persons teaching disbelief in or opposed to organized government, a polygamist

or believer in the practice of polygamy, and that it is his intention to become a citizen of the United States and to renounce absolutely and forever all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, and particularly by name to the prince, potentate, state or sovereignty of which he at the time of filing of his petition may be a citizen or subject, and that it is his intention to reside permanently within the United States, and whether or not he has been denied admission as a citizen of the United States, and, if denied, the ground or grounds of such denial, the court or courts in which such decision was rendered, and that the cause for such denial has since been cured or removed, and every fact material to his naturalization and required to be proved upon the final hearing of his application.

The petition shall also be verified by the affidavits of at least two credible witnesses, who are citizens of the United States, and who shall state in their affidavits that they have personally known the applicant to be a resident of the United States for a period of at least five years continuously, and of the state, territory or district in which the application is made for a period of at least one year immediately preceding the date of the filing of his petition, and that they each have personal knowledge that the petitioner is a person of good moral character, and that he is in every way qualified, in their opinion, to be admitted as a citizen of the United States.

At the time of filing his petition there shall be filed with the clerk of the court a certificate from the Department of Commerce and Labor, if the petitioner arrives in the United States after the passage of this act, stating the date, place and manner of his arrival in the United States, and the declaration of intention of such petitioner, which certificate and declaration shall be attached to and made a part of said petition.

Third. He shall, before he is admitted to citizenship, declare on oath in open court that he will support the Constitution of the United States, and that he absolutely and entirely

renounces and abjures all allegiance and fidelity to any foreign prince, potentate, state or sovereignty, and particularly by name to the prince, potentate, state or sovereignty of which he was before a citizen or subject; that he will support and defend the Constitution and laws of the United States against all enemies, foreign and domestic, and bear true faith and allegiance to the same.

Fourth. It shall be made to appear to the satisfaction of the court admitting any alien to citizenship that immediately preceding the date of his application he has resided continuously within the United States five years at least, and within the state or territory where such court is at the time held one year at least, and that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same. In addition to the oath of the applicant, the testimony of at least two witnesses, citizens of the United States, as to the facts of residence, moral character and attachment to the principles of the Constitution shall be required, and the name, place of residence, and occupation of each witness shall be set forth in the record.

Fifth. In case the alien applying to be admitted to citizenship has borne any hereditary title, or has been of any of the orders of nobility in the kingdom or state from which he came, he shall, in addition to the above requisites, make an express renunciation of his title or order of nobility in the court to which his application is made, and his renunciation shall be recorded in the court.

Sixth. When any alien who has declared his intention to become a citizen of the United States dies before he is actually naturalized, the widow and minor children of such alien may, by complying with the other provisions of this act, be naturalized without making any declaration of intention.

Sec. 5. That the clerk of the court shall, immediately after filing the petition, give notice thereof by posting in a

public and conspicuous place in his office, or in the building in which his office is situated, under an appropriate heading, the name, nativity and residence of the alien, the date and place of his arrival in the United States, and the date, as nearly as may be, for the final hearing of his petition, and the names of the witnesses whom the applicant expects to summon in his behalf; and the clerk shall, if the applicant requests it, issue a subpoena for the witnesses so named by the said applicant to appear upon the day set for the final hearing, but in case such witnesses cannot be produced upon the final hearing, other witnesses may be summoned.

Sec. 6. That petitions for naturalization may be made and filed during term time or vacation of the court and shall be docketed the same day as filed, but final action thereon shall be had only on stated days, to be fixed by rule of the court, and in no case shall final action be had upon a petition until at least ninety days have elapsed after filing and posting the notice of such petition; Provided, That no person shall be naturalized nor shall any certificate of naturalization be issued by any court within thirty days preceding the holding of any general election within its territorial jurisdiction. It shall be lawful, at the time and as a part of the naturalization of any alien, for the court, in its discretion, upon the petition of such alien, to make a decree changing the name of said alien, and his certificate of naturalization shall be issued to him in accordance therewith.

Sec. 7. That no person who disbelieves in or who is opposed to organized government, or who is a member of or affiliated with any organization entertaining and teaching such belief in or opposition to organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally of the Government of the United States, or of any other organized government, because of his or their official character, or who is a polyg-

amist, shall be naturalized or be made a citizen of the United States.

Sec. 8. That no alien shall hereafter be naturalized or admitted as a citizen of the United States who cannot speak the English language: Provided, That this requirement shall not apply to aliens who are physically unable to comply therewith, if they are otherwise qualified to become citizens of the United States: And provided further, That the requirements of this section shall not apply to any alien who has prior to the passage of this Act declared his intention to become a citizen of the United States in conformity with the law in force at the date of making such declaration: Provided further, That the requirements of Section 8 shall not apply to aliens who shall hereafter declare their intention to become citizens and who shall make homestead entries upon the public lands of the United States and comply in all respects with the laws providing for homestead entries on such lands.

Sec. 9. That every final hearing upon such petition shall be had in open court before a judge or judges thereof, and every final order which may be made upon such petition shall be under the hand of the court and entered in full upon a record kept for that purpose, and upon such final hearing of such petition the applicant and witnesses shall be examined under oath before the court and in the presence of the court.

Sec. 10. That in case the petitioner has not resided in the State, territory or district for a period of five years continuously and immediately preceding the filing of his petition he may establish by two witnesses, both in his petition and at the hearing, the time of his residence within the State, provided that it has been for more than one year, and the remaining portion of his five years' residence within the United States required by law to be established may be proved by the depositions of two or more witnesses who are citizens of the United States, upon notice to the Bureau of Immigration and Naturalization and the United States attorney for the district in which said witnesses may reside.

Sec. 11. That the United States shall have the right to appear before any court or courts exercising jurisdiction in naturalization proceedings for the purpose of cross-examining the petitioner and the witnesses produced in support of his petition concerning any matter touching or in any way affecting his right to admission to citizenship, and shall have the right to call witnesses, produce evidence, and be heard in opposition to the granting of any petition in naturalization proceedings.

Sec. 12. That it is hereby made the duty of the clerk of each and every court exercising jurisdiction in naturalization matters under the provisions of this Act to keep and file a duplicate of each declaration of intention made before him and to send to the Bureau of Immigration and Naturalization at Washington, within thirty days after the issuance of a certificate of citizenship, a duplicate of such certificate, and to make and keep on file in his office a stub for each certificate so issued by him, whereon shall be entered a memorandum of all the essential facts set forth in such certificate. It shall also be the duty of the clerk of each of said courts to report to the said Bureau, within thirty days after the final hearing and decision of the court, the name of each and every alien who shall be denied naturalization, and to furnish to said Bureau duplicates of all petitions within thirty days after the filing of the same, and certified copies of such other proceedings and orders instituted in or issued out of said court affecting or relating to the naturalization of aliens as may be required from time to time by the said Bureau.

In case any such clerk or officer acting under his direction shall refuse or neglect to comply with any of the foregoing provisions he shall forfeit and pay to the United States the sum of twenty-five dollars in each and every case in which such violation or omission occurs, and the amount of such forfeiture may be recovered by the United States in an action of debt against such clerk.

Clerks of courts having and exercising jurisdiction in

naturalization matters shall be responsible for all blank certificates of citizenship received by them from time to time from the Bureau of Immigration and Naturalization, and shall account for the same to the said Bureau whenever required so to do by such Bureau. No certificate of citizenship received by any such clerk which may be defaced or injured in such manner as to prevent its use as herein provided shall in any case be destroyed, but such certificate shall be returned to the said Bureau; and in case any such clerk shall fail to return or properly account for any certificate furnished by the said Bureau, as herein provided, he shall be liable to the United States in the sum of fifty dollars, to be recovered in an action of debt, for each and every certificate not properly accounted for or returned.

Sec. 13. That the clerk of each and every court exercising jurisdiction in naturalization cases shall charge, collect, and account for the following fees in each proceeding:

For receiving and filing a declaration of intention and issuing a duplicate thereof, one dollar.

For making, filing, and docketing the petition of an alien for admission as a citizen of the United States and for the final hearing thereon, two dollars; and for entering the final order and the issuance of the certificate of citizenship thereunder, if granted, two dollars.

The clerk of any court collecting such fees is hereby authorized to retain one-half of the fees collected by him in such naturalization proceeding; the remaining one-half of the naturalization fees in each case collected by such clerks, respectively, shall be accounted for in their quarterly accounts, which they are hereby required to render the Bureau of Immigration and Naturalization, and paid over to such Bureau within thirty days from the close of each quarter in each and every fiscal year, and the moneys so received shall be paid over to the disbursing clerk of the Department of Commerce and Labor, who shall thereupon deposit them in the Treasury of the United States, rendering an account therefor quarterly to the

Auditor for the State and other Departments, and the said disbursing clerk shall be held responsible under his bond for said fees so received.

In addition to the fees herein required, the petitioner shall, upon the filing of his petition to become a citizen of the United States, deposit with and pay to the clerk of the court a sum of money sufficient to cover the expenses of subpoenaing and paying the legal fees of any witnesses for whom he may request a subpoena, and upon the final discharge of such witnesses they shall receive, if they demand the same from the clerk, the customary and usual witness fees from the moneys which the petitioner shall have paid to such clerk for such purpose, and the residue, if any, shall be returned by the clerk to the petitioner: Provided, That the clerks of courts exercising jurisdiction in naturalization proceedings shall be permitted to retain one-half of the fees in any fiscal year up to the sum of three thousand dollars, and that all fees received by such clerks in naturalization proceedings in excess of such amount shall be accounted for and paid over to said Bureau as in case of other fees to which the United States may be entitled under the provisions of this Act. The clerks of the various courts exercising jurisdiction in naturalization proceedings shall pay all additional clerical force that may be required in performing the duties imposed by this Act upon the clerks of courts from fees received by such clerks in naturalization proceedings. And in case the clerk of any court collects fees in excess of the sum of six thousand dollars in any one year, the Secretary of Commerce and Labor may allow to such clerk from the money which the United States shall receive additional compensation for the employment of additional clerical assistance, but for no other purpose, if in the opinion of the said Secretary the business of such clerk warrants such allowance.

Sec. 14. That the declarations of intention and the petitions for naturalization shall be bound in chronological order in separate volumes, indexed, consecutively numbered, and made part of the records of the court. Each certificate of

naturalization issued shall bear upon its face, in a place prepared therefor, the volume number and page number of the petition whereon such certificate was issued, and the volume number and page number of the stub of such certificate.

Sec. 15. That it shall be the duty of the United States district attorneys for the respective districts, upon affidavit showing good cause therefor, to institute proceedings in any court having jurisdiction to naturalize aliens in the judicial district in which the naturalized citizen may reside at the time of bringing the suit, for the purpose of setting aside and cancelling the certificate of citizenship on the ground of fraud or on the ground that such certificate of citizenship was illegally procured. In any such proceedings the party holding the certificate of citizenship alleged to have been fraudulently or illegally procured shall have sixty days' personal notice in which to make answer to the petition of the United States; and if the holder of such certificate be absent from the United States or from the district in which he last had his residence, such notice shall be given by publication in the manner provided for the service of summons by publication or upon absentees by the laws of the State or the place where such suit is brought.

If any alien who shall have secured a certificate of citizenship under the provisions of this Act shall, within five years after the issuance of such certificate, return to the country of his nativity, or go to any other foreign country, and take permanent residence therein, it shall be considered *prima facie* evidence of a lack of intention on the part of such alien to become a permanent citizen of the United States at the time of filing his application for citizenship, and, in the absence of countervailing evidence, it shall be sufficient in the proper proceedings to authorize the cancellation of his certificate of citizenship as fraudulent, and the diplomatic and consular officers of the United States in foreign countries shall from time to time, through the Department of State, furnish the Department of Justice with the names of those within their respec-

tive jurisdictions who have such certificates of citizenship and who have taken permanent residence in the country of their nativity, or in any other foreign country, and such statements, duly certified, shall be admissible in evidence in all courts in proceedings to cancel certificates of citizenship.

Whenever any certificate of citizenship shall be set aside or cancelled, as herein provided, the court in which such judgment or decree is rendered shall make an order canceling such certificate of citizenship and shall send a certified copy of such order to the Bureau of Immigration and Naturalization; and in case such certificate was not originally issued by the court making such order it shall direct the clerk of the court to transmit a copy of such order and judgment to the court out of which such certificate of citizenship shall have been originally issued. And it shall thereupon be the duty of the clerk of the court receiving such certified copy of the order and judgment of the court to enter the same of record and to cancel such original certificate of citizenship upon the records and to notify the Bureau of Immigration and Naturalization of such cancellation.

The provisions of this section shall apply not only to certificates of citizenship issued under the provisions of this Act, but to all certificates of citizenship which may have been issued heretofore by any court exercising jurisdiction in naturalization proceedings under prior laws.

Sec. 16. That every person who falsely makes, forges, counterfeits, or causes or procures to be falsely made, forged, or counterfeited, or knowingly aids or assists in falsely making, forging, or counterfeiting any certificate of citizenship, with intent to use the same, or with the intent that the same may be used by some other person or persons, shall be guilty of a felony, and a person convicted of such offense shall be punished by imprisonment for not more than ten years, or by a fine of not more than ten thousand dollars, or by both such fine and imprisonment.

Sec. 17. That every person who engraves or causes or

procures to be engraved, or assists in engraving, any plate in the likeness of any plate designed for the printing of a certificate of citizenship, or who sells any such plate, or who brings into the United States from any foreign place any such plate, except under the direction of the Secretary of Commerce and Labor, or other proper officer, and any person who has in his control, custody, or possession any metallic plate engraved after the similitude of any plate from which any such certificate has been printed, with intent to use such plate or suffer the same to be used in forging or counterfeiting any such certificate or any part thereof; and every person who prints, photographs, or in any other manner causes to be printed, photographed, made, or executed, any print or impression in the likeness of any such certificate, or any part thereof, or who sells any such certificate, or brings the same into the United States from any foreign place, except by direction of some proper officer of the United States, or who has in his possession a distinctive paper which has been adopted by the proper officer of the United States for the printing of such certificate, with intent to unlawfully use the same, shall be punished by a fine of not more than ten thousand dollars, or by imprisonment at hard labor for not more than ten years, or by both such fine and imprisonment.

Sec. 18. That it is hereby made a felony for any clerk or other person to issue or be a party to the issuance of a certificate of citizenship contrary to the provisions of this Act, except upon a final order under the hand of a court having jurisdiction to make such order, and upon conviction thereof such clerk or other person shall be punished by imprisonment for not more than five years and a fine of not more than five thousand dollars, in the discretion of the court.

Sec. 19. That every person who without lawful excuse is possessed of any blank certificate of citizenship provided by the Bureau of Immigration and Naturalization, with intent unlawfully to use the same, shall be imprisoned at hard labor

not more than five years or be fined not more than one thousand dollars.

Sec. 20. That any clerk or other officer of a court having power under this Act to naturalize aliens, who willfully neglects to render true accounts of moneys received by him for naturalization proceedings or who willfully neglects to pay over any balance of such moneys due to the United States within thirty days after said payment shall become due and demand therefor has been made and refused, shall be deemed guilty of embezzlement of the public moneys, and shall be punishable by imprisonment for not more than five years, or by a fine of not more than five thousand dollars, or both.

Sec. 21. That it shall be unlawful for any clerk of any court or his authorized deputy or assistant exercising jurisdiction in naturalization proceedings, or to demand, charge, collect, or receive any other or additional fees or moneys in naturalization proceedings save the fees and moneys herein specified; and a violation of any of the provisions of this section or any part thereof is hereby declared to be a misdemeanor and shall be punished by imprisonment for not more than two years, or by a fine of not more than one thousand dollars, or by both such fine and imprisonment.

Sec. 22. That the clerk of any court exercising jurisdiction in naturalization proceedings, or any person acting under authority of this Act, who shall knowingly certify that a petitioner, affiant, or witness named in an affidavit, petition, or certificate of citizenship, or other paper or writing required to be executed under the provisions of this Act, personally appeared before him and was sworn thereto, or acknowledged the execution thereof or signed the same, when in fact such petitioner, affiant, or witness did not personally appear before him, or was not sworn thereto, or did not execute the same, or did not acknowledge the execution thereof shall be punished by a fine not exceeding five thousand dollars, or by imprisonment not to exceed five years.

Sec. 23. That any person who knowingly procures natu-

ralization in violation of the provisions of this Act shall be fined not more than five thousand dollars, or shall be imprisoned not more than five years, or both, and upon conviction the court in which such conviction is had shall thereupon adjudge and declare the final order admitting such person to citizenship void. Jurisdiction is hereby conferred on the courts having jurisdiction of the trial of such offense to make such adjudication. Any person who knowingly aids, advises, or encourages any person not entitled thereto to apply for or to secure naturalization, or to file the preliminary papers declaring an intent to become a citizen of the United States, or who in any naturalization proceeding knowingly procures or gives false testimony as to any material fact, or who knowingly makes an affidavit false as to any material fact required to be proved in such proceeding, shall be fined not more than five thousand dollars, or imprisoned not more than five years, or both.

Sec. 24. That no person shall be prosecuted, tried, or punished for any crime arising under the provisions of this Act unless the indictment is found or the information is filed within five years next after the commission of such crime.

Sec. 25. That for the purpose of the prosecution of all crimes and offenses against the naturalization laws of the United States which may have been committed prior to the date when this Act shall go into effect, the existing naturalization laws shall remain in full force and effect.

Sec. 26. That Sections twenty-one hundred and sixty-five, twenty-one hundred and sixty-seven, twenty-one hundred and sixty-eight, twenty-one hundred and seventy-three of the Revised Statutes of the United States of America, and Section thirty-nine of chapter one thousand and twelve of the Statutes at Large of the United States of America for the year nineteen hundred and three, and all Acts or parts of Acts inconsistent with or repugnant to the provisions of this Act are hereby repealed.

Sec. 27. That substantially the following forms shall be used in the proceedings to which they relate:

Declaration of Intention.

(Invalid for all purposes seven years after the date hereof.)
 , ss:

I,, aged years, occupation, do declare on oath (affirm) that my personal description is: Color, complexion, height, weight, color of hair, color of eyes, other visible distinctive marks; I was born in on the day of, anno Domini; I now reside at; I emigrated to the United States of America from on the vessel; my last foreign residence was It is my bona fide intention to renounce forever all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty and particularly to, of which I am now a citizen (subject); I arrived at the (port) of, in the State (Territory or District) of on or about the day of anno Domini; I am not an anarchist; I am not a polygamist nor a believer in the practice of polygamy; and it is my intention in good faith to become a citizen of the United States of America and to permanently reside therein. So help me God.

(Original signature of declarant)

Subscribed and sworn to (affirmed) before me this day of, anno Domini

(L. S.)

Official character of attestator.

Petition for Naturalization.

..... Court of

In the matter of the petition of
 to be admitted as a citizen of the United States of America,
 To the Court:

The petition of respectfully shows:

First. My full name is

Second. My place of residence is No. street, city of State (Territory or District) of

Third. My occupation is

Fourth. I was born on the day of at

Fifth. I emigrated to the United States from, on or about the day of, anno Domini, and arrived at the port of, in the United States, on the vessel

Sixth. I declared my intention to become a citizen of the United States on the day of at in the court of

Seventh. I am married. My wife's name is She was born in and now resides at I have children, and the name , date, and place of birth and place of residence of each of said children is as follows:;;

Eighth. I am not a disbeliever in or opposed to organized government or a member of or affiliated with any organization or body of persons teaching disbelief in organized government. I am not a polygamist nor a believer in the practice of polygamy. I am attached to the principles of the Constitution of the United States, and it is my intention to become a citizen of the United States and to renounce absolutely and forever all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, and particularly to, of which at this time I am a citizen (or subject), and it is my intention to reside permanently in the United States.

Ninth. I am able to speak the English language.

Tenth. I have resided continuously in the United States of America for a term of five years at least immediately preceding the date of this petition, to wit, since, anno Domini and in the State (Territory or District) of for one year at least next preceding the date of this petition, to wit, since day of anno Domini

Eleventh. I have not heretofore made petition for citizenship to any court. (I made petition for citizenship to the court of at, and the said petition was denied by the said court for the following reasons and causes, to wit,, and the cause of such denial has since been cured or removed.)

Attached hereto and made a part of this petition are my declaration of intention to become a citizen of the United States and the certificate from the Department of Commerce and Labor required by law. Wherefore your petitioner prays that he may be admitted a citizen of the United States of America.

Dated

(Signature of petitioner)
, ss:

....., being duly sworn, deposes and says that he is the petitioner in the above-entitled proceeding; that he has read the foregoing petition and knows the contents thereof; that the same is true of his own knowledge, except as to matters therein stated to be alleged upon information and belief, and that as to those matters he believes it to be true.

Subscribed and sworn to before me this day of , anno Domini

(L. S.)
 Clerk of the Court.

Affidavit of Witnesses.

..... Court of

In the matter of the petition of to be admitted a citizen of the United States of America.

....., ss:

....., occupation, residing at and , occupation, residing at, each being severally, duly, and respectively sworn, deposes and says that he is a citizen of the United States of America; that he has personally known, the petitioner above men-

tioned, to be a resident of the United States for a period of at least five years continuously immediately preceding the date of filing his petition, and of the State (Territory or District) in which the above-entitled application is made for a period of years immediately preceding the date of filing his petition: and that he has personal knowledge that the said petitioner is a person of good moral character, attached to the principles of the Constitution of the United States, and that he is in every way qualified, in his opinion, to be admitted as a citizen of the United States.

.....

 Subscribed and sworn to before me this day of
, nineteen hundred and

[L. S.]

.....
 (Official character of attestor).

Certificate of Naturalization.

Number

Petition, volume, page !.....

Stub, volume.....page.....

(Signature of holder)

Description of holder: Age,; height,; color,
; complexion,; color of eyes,; color of
 hair,; visible distinguishing marks, Name, age,
 and place of residence of wife,,,
 Names, ages, and places of residence of minor children,
,,,,,,
,

....., ss:

Be it remembered, that at a term of the
 court of, held at on the day of,
 in the year of our Lord nineteen hundred and,,
 who previous to his (her) naturalization was a citizen or sub-
 ject of, at present residing at number

street, city (town), State (Territory or District), having applied to be admitted a citizen of the United States of America pursuant to law, and the courts having found that the petitioner had resided continuously within the United States for at least five years and in this State for one year immediately preceding the date of the hearing of his (her) petition, and that said petitioner intends to reside permanently in the United States, had in all respects complied with the law in relation thereto, and that ..he was entitled to be so admitted, it was thereupon ordered by the said court that ..he be admitted as a citizen of the United States of America.

In testimony whereof the seal of said court is hereunto affixed on the day of, in the year of our Lord nineteen hundred and, and of our independence the

[L. S.]

.....
(Official character of attester.)

Stub of Certificate of Naturalization

No. of certificate,

Name; age,

Declaration of intention, volume, page

Petition, volume, page

Name, age, and place of residence of wife,,

....., Names, ages, and places of residence of
minor children,,,,,,

.....,,,,,,,

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.....,,,,,,,

.....,,,,,,,

.....,,,,,,,

Date of order, volume, page

(Signature of holder)

Sec. 28. That the Secretary of Commerce and Labor shall have power to make such rules and regulations as may be necessary for properly carrying into execution the various provisions of this Act. Certified copies of all papers, documents, certificates, and records required to be used, filed, recorded, or kept under any and all of the provisions of this Act shall be admitted in evidence equally with the originals in any and all proceedings under this Act and in all cases in which the originals thereof might be admissible as evidence.

Sec. 29. That for the purpose of carrying into effect the provisions of this Act there is hereby appropriated the sum of one hundred thousand dollars, out of any moneys in the Treasury of the United States not otherwise appropriated, which appropriation shall be in full for the objects hereby expressed until June thirtieth, nineteen hundred and seven; and the provisions of section thirty-six hundred and seventy-nine of the Revised Statutes of the United States shall not be applicable in any way to this appropriation.

Sec. 30. That all the applicable provisions of the naturalization laws of the United States shall apply to and be held to authorize the admission to citizenship of all persons not citizens who owe permanent allegiance to the United States, and who may become residents of any State or organized Territory of the United States, with the following modifications: The applicant shall not be required to renounce allegiance to any foreign sovereignty; he shall make his declaration of intention to become a citizen of the United States at least two years prior to his admission; and residence within the jurisdiction of the United States, owing such permanent allegiance, shall be regarded as residence within the United States within the meaning of the five years' residence clause of the existing law.

Sec. 31. That this Act shall take effect and be in force from and after ninety days from the date of its passage: Pro-

vided, That sections one, two, twenty-eight, and twenty-nine shall go into effect from and after the passage of this Act.

Approved, June 29, 1906.

Expatriation of Citizens and Their Protection Abroad.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State shall be authorized, in his discretion, to issue passports to persons not citizens of the United States as follows: Where any person has made a declaration of intention to become such a citizen as provided by law and has resided in the United States for three years, a passport may be issued to him entitling him to the protection of the Government in any foreign country: Provided, that such passport shall not be valid for more than six months and shall not be renewed, and that such passport shall not entitle the holder to the protection of this Government in the country of which he was a citizen prior to making such declaration of intention.

Sec. 2. That any American citizen shall be deemed to have expatriated himself when he has been naturalized in any foreign state in conformity with its laws, or when he has taken an oath of allegiance to any foreign state.

When any naturalized citizen shall have resided for two years in the foreign state from which he came, or for five years in any other foreign state, it shall be presumed that he has ceased to be an American citizen, and the place of his general abode shall be deemed his place of residence during said years: Provided, however, that such presumption may be overcome on the presentation of satisfactory evidence to a diplomatic or consular officer of the United States, under such rules and regulations as the Department of State may prescribe: And provided also, That no American citizen shall be allowed to expatriate himself when this country is at war.

Sec. 3. That any American woman who marries a foreigner shall take the nationality of her husband. At the termination of the marital relation she may resume her American

citizenship, if abroad, by registering as an American citizen within one year with a consul of the United States, or by returning to reside in the United States, or, if residing in the United States at the termination of the marital relation, by continuing to reside therein.

Sec. 4. That any foreign woman who acquires American citizenship by marriage to an American shall be assumed to retain the same after the termination of the marital relation if she continue to reside in the United States, unless she makes formal renunciation thereof, before a court having jurisdiction to naturalize aliens, or if she resides abroad she may retain her citizenship by registering as such before a United States consul within one year after the termination of such marital relation.

Sec. 5. That a child born without the United States of alien parents shall be deemed a citizen of the United States by virtue of the naturalization of or resumption of American citizenship by the parent; Provided, That such naturalization or resumption takes place during the minority of such child: And provided further, That the citizenship of such minor child shall begin at the time such minor child begins to reside permanently in the United States.

Sec. 6. That all children born outside the limits of the United States who are citizens thereof in accordance with the provisions of Section nineteen hundred and ninety-three of the Revised Statutes of the United States, and who continue to reside outside the United States shall, in order to receive the protection of this government, be required upon reaching the age of eighteen years to record at an American consulate their intention to become residents and remain citizens of the United States, and shall be further required to take the oath of allegiance to the United States upon attaining their majority.

Sec. 7. That duplicates of any evidence, registration, or other acts required by this Act shall be filed with the Department of State for record.

Approved, March 2, 1907.

TITLE V.

PASSPORTS.

Rules Governing the Granting and Issuing of Passports in the United States.

1. *By Whom Issued and Refusal to Issue.*—No one but the Secretary of State may grant and issue passports in the United States (Revised Statutes, Sections 4075, 4078) and he is empowered to refuse them in his discretion.

Passports are not issued by American diplomatic and consular officers abroad, except in cases of emergency; and a citizen who is abroad and desires to procure a passport must apply therefor through the nearest diplomatic or consular officer to the Secretary of State.

Applications for passports by persons in Porto Rico or the Philippines should be made to the Chief Executives of those Islands. The evidence required of such applicants is the same as that required of applicants in the United States.

2. *Fee.*—By Act of Congress approved March 23, 1888, a fee of one dollar is required to be collected for every citizen's passport. That amount in currency or postal money order should accompany each application made by a citizen of the United States. Orders should be made payable to the Disbursing Clerk of the Department of State. Drafts or checks will not be accepted.

3. *Applications.*—A person who is entitled to receive a passport, if within the United States, must make a written application, in the form of an affidavit, to the Secretary of State. The application must be made by the person to whom the passport is to be issued and signed by him, as it is not competent for one person to apply for another.

The affidavit must be attested by an officer authorized to administer oaths, and if he has an official seal it must be affixed. If he has no seal, his official character must be authenticated by certificate of the proper legal officer.

If the applicant signs by mark, two attesting witnesses to his signature are required. The applicant is required to state the date and place of his birth, his occupation, the place of his permanent residence, and within what length of time he will return to the United States with the purpose of residing and performing the duties of citizenship.

The applicant must take the oath of allegiance to the Government of the United States.

The application must be accompanied by a description of the person applying, and should state the following particulars, viz.: Age, ———; stature, ——— feet ——— inches (English measure); forehead, ———; eyes, ———; nose, ———; mouth, ———; chin, ———; hair, ———; complexion, ———; face, ———.

The application must be accompanied by a certificate from at least one credible witness that the applicant is the person he represents himself to be, and that the facts stated in the affidavit are true to the best of the witness's knowledge and belief.

4. *Native Citizens.*—An application containing the information indicated by rule 3 will be sufficient evidence in the case of native citizens; but

A person of the Chinese race, alleging birth in the United States, must obtain from the Commissioner of Immigration or Chinese Inspector in Charge at the port through which he proposes to leave the country a certificate upon his application, under the seal of such officer, showing that there has been granted to him by the latter a return certificate in accordance with rule 16 of the Chinese Regulations of the Department of Commerce and Labor. For this purpose special blank forms of application for passports are provided.

Passports issued by the Department of State or its diplo-

matic or consular representatives are intended for identification and protection in foreign countries, and not to facilitate entry into the United States, immigration being under the supervision of the Department of Commerce and Labor.

5. *A Person Born Abroad Whose Father Was a Native Citizen of the United States.*—In addition to the statements required by rule 3, his application must show that his father was born in the United States, resided therein, and was a citizen at the time of the applicant's birth. The Department may require that this affidavit be supported by that of one other citizen acquainted with the facts.

6. *Naturalized Citizens.*—In addition to the statements required by rule 3, a naturalized citizen must transmit his certificate of naturalization, or a duly certified copy of the court record thereof, with his application. It will be returned to him after inspection. He must state in his affidavit when and from what port he emigrated to this country, what ship he sailed on, where he has lived since his arrival in the United States, when and before what court he was naturalized, and that he is the identical person described in the certificate of naturalization. The signature to the application should conform in orthography to the applicant's name as written in his certificate of naturalization, or an explanation of the difference should be submitted.

7. *Woman's Application.*—If she is unmarried, in addition to the statements required by rule 3, she should state that she has never been married. If she is the wife or widow of a native citizen of the United States the fact should be made to appear in her application, which should be made according to the form prescribed for a native citizen whether she was born in this country or abroad. If she is the wife or widow of a naturalized citizen, in addition to the statements required by rule 3, she must transmit for inspection her husband's certificate of naturalization or a certified copy of the court record thereof, must state that she is the wife (or widow) of the

person described therein, and must set forth the facts of his emigration, naturalization, and residence, as required in the rules governing the application of a naturalized citizen.

(A married woman's citizenship follows that of her husband so far as her international status is concerned. It is essential, therefore, that a woman's marital relations be indicated in her application for a passport, and that in the case of a married woman her husband's citizenship be established.)

8. *The Child of a Naturalized Citizen Claiming Citizenship Through the Naturalization of the Parent.*—In addition to the statements required by rule 3, the applicant must state that he or she is the son or daughter, as the case may be, of the person described in the certificate of naturalization, which must be submitted for inspection, and must set forth the facts of emigration, naturalization, and residence, as required in the rule governing the application of a naturalized citizen.

9. *A Resident of An Insular Possession of the United States Who Owes Allegiance to the United States.*—In addition to the statements required by rule 3, he must state that he owes allegiance to the United States and that he does not acknowledge allegiance to any other government; and must submit affidavits from at least two credible witnesses having good means of knowledge in substantiation of his statements of birth, residence and loyalty.

10. *Expiration of Passport.*—A passport expires two years from the date of its issuance. A new one will be issued upon a new application, and, if the applicant be a naturalized citizen, the old passport will be accepted in lieu of a certificate of naturalization, if the application upon which it was issued is found to contain sufficient information as to the naturalization of the applicant. Passports are not renewed by the Department, but a person abroad holding a passport issued by the Department may have it renewed for a period of two years upon presenting it to a diplomatic or principal consular officer of the United States when it is about to expire.

11. *Wife, Minor Children, and Servants.*—When the applicant is accompanied by his wife, minor children, or servant who would be entitled to receive a passport, it will be sufficient to state the fact, giving the respective ages of the children and the allegiance of the servant, when one passport will suffice for all. For any other person in the party a separate passport will be required. A woman's passport may include her minor children and servant under the above-named conditions.

(The term servant does not include a governess, tutor, pupil, companion, or person holding like relations to the applicant for a passport.)

12. *Titles.*—Professional and other titles will not be inserted in passports.

13. *Blank Forms of Application.*—They will be furnished by the Department to persons who desire to apply for passports, but are not furnished, except as samples, to those who make a business of procuring passports.

14. *Address.*—Communications should be addressed to the Department of State, Bureau of Citizenship, and each communication should give the post-office address of the person to whom the answer is to be directed.

Section 4075 of the *Revised Statutes of the United States*, as amended by the Act of Congress, approved June 14, 1902, provides that "the Secretary of State may grant and issue passports, and cause passports to be granted, issued and verified in foreign countries by such diplomatic or consular officers of the United States, and by such chief or other executive officer of the insular possessions of the United States, and under such rules as the President shall designate and prescribe for and on behalf of the United States." The foregoing rules are accordingly prescribed for the granting and issuing of passports in the United States.

The Secretary of State is authorized to make regulations on the subject of granting and issuing passports additional to these rules and not inconsistent with them.

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Wie werde ich Bürger

...der...

Vereinigten Staaten von Amerika?



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Der Treueid für die Vereinigten Staaten.

Ich erkläre hiermit unter feierlichem Eid vor einem öffentlichen Gerichtshof, dass ich die Verfassung der Ver. Staaten unterstützen will, dass ich für nun und immerdar alle Treue und Ergebenheit irgend einem ausländischen Fürsten, Machthaber, Staatswesen, oder einer Souveränität, besonders (dem, dessen Untertan ich bin) entsage und abschwöre; dass ich von nun an die Verfassung und Gesetze der Ver. Staaten gegen alle Feinde, sowohl innere als auch äussere, verteidigen will, denselben aufrichtigen Glauben und Ergebenheit entgegenbringen werde: So wahr mir Gott helfe!

VORWORT.

Es ist eine genügend bekannte Tatsache, dass viele Einwanderer es unterlassen, entweder aus einfacher Nachlässigkeit, oder aus Furcht, dass sie vielleicht die bei der Naturalisation an sie gerichteten Fragen nicht werden beantworten können, von ihrem Rechte, Bürger zu werden, Gebrauch zu machen. Denn nach den Gesetzen der Vereinigten Staaten kann ein jeder unbescholtene Ausländer Bürger der Vereinigten Staaten werden. Deshalb hat sich nun der Verfasser dieses Buches, welches zuerst in englischer Sprache allein erschien, der grossen Mühe unterzogen, dasselbe auch in deutscher Sprache erscheinen zu lassen. Er hatte vor allem an seine eigenen Landsleute gedacht. Denn die haben den grössten Teil durch ihr vielfaches Verlangen und Bitten dazu beigetragen, dass dieses Buch in deutscher Sprache erscheint. Hierdurch glaubt nun der Verfasser den so längst gehegten Herzenswunsch sehr Vieler erfüllt zu haben. Denn so manch bescheidener deutscher Einwanderer hätte sich sehr gerne um das Bürgerrecht beworben, aber nichts stand ihm zur Verfügung, was ihm einige Fingerzeige in dieser Beziehung hätte geben können.

Hier ist nun das Buch, in einem klaren und verständlichen Deutsch geschrieben, um einem jeden, der des Englischen nicht genügend mächtig ist, Gelegenheit zu geben, sich um das amerikanische Bürgerrecht bewerben zu können.

Mögen sich nun alle Leser dieses Buches der Segnungen der Freiheit dieses so herrlichen Landes erfreuen.

Der Verfasser.

Abteilung I.

Die erforderlichen Eigenschaften, um Bürger der Ver. Staaten von Amerika werden zu können.

K a p i t e l I.

Eine kurze Uebersicht über die Bedingungen und erforderlichen Eigenschaften, um das Bürgerrecht der Ver. Staaten erhalten zu können.

Wenn hier der Ausdruck „erstes Papier“ angewandt wird, so ist damit gemeint, dass jemand die „Absicht kundgab“, Bürger der Ver. Staaten werden zu wollen. Wenn hier die Rede vom „zweiten Papier“ ist, so ist es gleichbedeutend mit dem Ausdruck „eine endgültige Bescheinigung des Bürgerrechtes“.

Bürgerrecht Gegenstand des Rechts.

Nach den Gesetzen der Ver. Staaten genießt ein Ausländer das volle Recht, zum Bürgerrecht zugelassen zu werden, vorausgesetzt, dass er die erforderlichen Eigenschaften besitzt, die gestellten Bedingungen erfüllt, und das vom Gesetz vorgeschriebene Verfahren genau befolgt.

Bedingungen und Eigenschaften der Männer, unverheirateter Frauen oder Witwen.

Der Applikant muss mindestens fünf Jahre ununterbrochen bis unmittelbar vor seiner Applikation in den Vereinigten Staaten, und davon wenigstens ein Jahr in jenem Staate oder Territorium, in welchem er für sein Bürgerrecht nachsucht, gewohnt haben.

Dass er während der Zeit einen ordentlichen Lebenswandel geführt und sich als ein Mann von gutem Charakter bewährt hatte.

Dass er den Prinzipien der Ver. Staaten-Verfassung ergeben ist.

Dass er zur Zeit seiner Applikation für das „zweite Papier“ die englische Sprache beherrscht, wenn er nicht durch Krankheit daran gehindert ist.

Ausnahmen bilden: Erstens, Personen, die um ein Heimats-

recht nachsuchen und die damit verbundenen Bedingungen und Vorschriften vollfüllen; von ihnen wird Kenntnis der englischen Sprache nicht verlangt. Zweitens, Personen, die ihr „erstes Papier“ vor dem 28. September 1906 herausgenommen hatten.

Dass der Applikant kein Anarchist ist, oder anarchistischen Grundsätzen huldigt.

Oder irgend einem Orden angehöre, der Widerstand gegen ein geordnetes Regierungssystem lehrt, oder einer Organisation, die zu ungesetzlichen Pflichten auffordert oder lehrt, einen Regierungsbeamten anzugreifen oder zu töten, weil er ein Beamter ist.

Er darf keine Vielweiberei treiben.

Er muss auf jeden erblichen Titel oder Adelsprivileg verzichten.

Er muss sich jeder Treue und Ergebenheit zu irgend einem ausländischen Fürsten, Machthaber, Stadt oder Staat, dessen Untertan oder Bürger er zur Zeit ist, als er um das Bürgerrecht nachsucht, vollständig entsagen.

Er muss mindestens zwei Jahre, aber nicht länger als sieben, im Besitze des „ersten Papieres“ sein, bevor er um sein „zweites Papier“ nachsucht.

Hat er aber länger als sieben Jahre mit der Herausnahme des „zweiten Papieres“ gewartet, so wird sein „erstes Papier“ für null und nichtig erklärt.

Ausnahme: Eine Person, die ihr „erstes Papier“ vor dem 28. September 1906 erhalten, ist zum „zweiten Papier“ berechtigt, trotzdem dieselbe mehr als sieben Jahre im Besitze des „ersten Papieres“ und auch der englischen Sprache nicht mächtig ist.

Bedingungen für Minderjährige. — Bestimmungen für Kinder, die unter oder ausserhalb der Gerichtsbarkeit der Ver. Staaten geboren sind.

Minderjährig sind Personen, die nicht 21 Jahre alt sind.

Vorher konnte eine minderjährige Person, sobald sie 21 Jahre alt wurde, ohne das „erste Papier“ vorher erlangt zu

haben, naturalisiert werden. Dieses Gesetz ist nun ausser Kraft.

Ein minderjähriger Ausländer kann sein „erstes Papier“ erhalten, sobald er 18 Jahre alt ist.

Um aber Bürger zu werden, muss er erstens: Mindestens zwei Jahre im Besitze des „ersten Papieres“ sein; zweitens: 21 Jahre alt sein; und drittens: fünf Jahre ununterbrochen in den Ver. Staaten gewohnt haben.

Kinder, die beim Tode ihres Vaters nicht 21 Jahre alt waren, er aber im Besitze des „ersten Papieres“, ohne vorher sein endgültiges Bürgerrecht erlangt zu haben, verstorben ist, können auf Grund dessen, sobald sie das 21. Lebensjahr erreicht haben, naturalisiert werden.

Im Falle, dass ein Ehemann, der im Besitze des „ersten Papieres“ war, ohne volles Bürgerrecht zu haben, verstorben ist, kann die Ehefrau, so lange sie unverheiratet bleibt, auf Grund ihres verstorbenen Gatten „erstes Papier“ das „zweite Papier“ erlangen, und alle Kinder, die zur Zeit der Naturalisation der Mutter nicht 21 Jahre alt sind, mit ihr das Bürgerrecht erhalten.

Kinder von Immigranten, die in den Ver. Staaten geboren werden und daselbst wohnen, werden Kraft ihrer Geburt in den Ver. Staaten vom Gesetz als vollberechtigte Bürger anerkannt.

Kinder von Immigranten, die ausserhalb der Ver. Staaten geboren sind, werden Bürger durch die Naturalisation ihres Vaters, vorausgesetzt, dass sie zu dieser Zeit noch nicht 21 Jahre alt sind.

Solche Kinder sind aber keine vollen Bürger, bevor sie sich gänzlich in den Ver. Staaten niedergelassen haben.

Kinder von Bürgern, die ausserhalb der Grenzen und Gerichtsbarkeit der Ver. Staaten geboren sind, werden als Bürger betrachtet.

Vorschriften bezüglich verheirateter Frauen.

Eine verheiratete Frau erhält das Bürgerrecht durch die Naturalisation ihres Mannes, wenn sie auch nicht volle fünf

Jahre in den Ver. Staaten gewohnt hat, und auch noch zur Zeit der Naturalisation ihres Ehemannes immer im Auslande wohnt.

Mädchen und Witwen, einerlei, ob sie unter oder über 21 Jahre alt sind, erhalten ohne weiteres das Bürgerrecht durch eine Heirat mit einem Bürger der Ver. Staaten.

Wer kann Bürger der Ver. Staaten werden.

Freie Personen weisser Farbe und Ausländer afrikanischer Abstammung.

Ein jeder freier Ausländer weisser Hautfarbe und ein Ausländer afrikanischer Abstammung oder in Afrika geboren, kann Bürger werden.

Chinesen.

Das Naturalisieren der Chinesen verbietet das Gesetz der Ver. Staaten von Amerika.

Ausländische Soldaten.

Ein Ausländer, der in das Heer der Ver. Staaten eingetreten ist und einen sittlichen Lebenswandel führt, wird beim Alter von 21 Jahren, nachdem er sich ein Jahr in den Ver. Staaten aufhielt, ohne vorher das „erste Papier“ herausgenommen zu haben, zum Bürgerrecht zugelassen.

Ehrendvoll entlassene Ausländer aus der Ver. Staaten Marine oder Marinecorps.

Ein jeder Ausländer vom 21. Lebensjahre und weiter, der fünf Jahre ununterbrochen bei der Ver. Staaten Marine gedient hat oder dienen will, oder an einer Anwerbung bei dem Ver. Staaten Marinecorps teilgenommen hat und dann ehrendvoll entlassen wird, kann Bürger der Ver. Staaten werden, ohne vorher das „erste Papier“ erlangt zu haben.

Ausländische Seeleute bei der Ver. Staaten Handelsmarine.

Ein ausländischer Seemann kann nach dreijähriger Dienstzeit auf einem amerikanischen Handelsschiff Bürger werden. Ein jeder ausländische Seemann, der sein „erstes Papier“

erlangt und volle drei Jahre vom Datum des „ersten Papiers“ an Bord eines der Ver. Staaten Handelsschiffe dienen wird, kann auf sein Ansuchen das amerikanische Bürgerrecht erhalten, wenn er folgende Papiere beibringen kann:

1. Eine Bescheinigung seiner Entlassung und ein Führungszeugnis von seiner Dienstzeit.
2. Sein „erstes Papier“.

Ein solcher Seemann genießt den vollen Schutz eines amerikanischen Bürgers gleich nach der Herausnahme des „ersten Papiers“.

Einwohner der von den Ver. Staaten organisierten Territorien und ihre Bestimmungen.

Alle Verordnungen bezüglich der Naturalisations-Gesetze der Ver. Staaten sollen so gehandhabt werden, dass sie allen Nichtbürgern, die den Ver. Staaten ganz ergeben und Bewohner eines Staates oder eines von den Ver. Staaten organisierten Territoriums sind, die Zulassung zum Bürgerrecht ermöglichen und zwar unter folgenden Bestimmungen: Der Applikant soll nicht aufgefordert werden, sich der Treue zu einer ausländischen Regierung zu entsagen.

Er soll eine Erklärung, dass er Bürger werden will, zwei Jahre vor seiner Zulassung abgeben.

Er soll ferner unter der Gerichtsbarkeit der Ver. Staaten wohnen, wobei die Niederlassung in solcher Gerichtsbarkeit der Ver. Staaten ihm gleich einer Niederlassung innerhalb der Ver. Staaten angerechnet wird.

Die Naturalisierung ausländischer Feinde ist verboten.

Ausländer, die Bürger oder Untertanen eines Landes sind, mit welchem die Ver. Staaten Krieg führen, können während der Dauer des Krieges nicht Bürger werden. Diese Bestimmung ist jedoch gesetzlichen Ausnahmen unterworfen.

Namensänderung.

Es ist dem Gerichtshof gestattet, zur Zeit und als Teil der Naturalisation eines Ausländers, auf sein Ansuchen eine Ent-

scheidung über die Namensänderung, die der betreffende Applikant vornehmen will, abzugeben.

Die Naturalisations-Urkunde muss dann demgemäss ausgestellt werden.

Kapitel II.

An was für einen Gerichtshof soll man sich wenden.

Der Applikant kann sich um die Zulassung zum Bürgerrecht entweder an das Bundesgericht oder an ein Staatsgericht wenden.

Bundesgericht.

Bundesgerichte sind ein jedes Kreis- oder Bezirks-Gericht der Ver. Staaten, in welchem Bezirk der Applikant sesshaft ist.

Das Bundesgericht vom Staate New York zerteilt sich auf vier besondere Bezirke, wie auf einen nörd-, süd-, öst- und westlichen.

Der Sitz des Ver. Staaten Bezirksgerichtes für den südlichen Bezirk von New York befindet sich im Hauptpostgebäude der Stadt New York.

Der Sitz des Ver. Staaten Bezirks- oder Kreisgerichts für den östlichen Bezirk befindet sich im Hauptpostgebäude von Brooklyn, Stadt New York.

Staats-Gerichtshöfe.

Gesuche an Staats-Gerichtshöfe.

Staatsgerichte, an die Gesuche für das Bürgerrecht gerichtet werden können, sind alle Gerichtshöfe, in welchen ein Siegel und ein Gerichtsschreiber vorhanden sind, und ferner die, welche Gerichtsbarkeit in gesetzlichen Handlungen oder Billigkeitsverfahren haben, und in welchen die Summe, um die der Prozess geführt wird, unbegrenzt ist.

Das Gesuch an das Staatsgericht muss in dem Bezirk gemacht werden, in welchem der betreffende Applikant wohnt. Stadt-, Polizei- und Kriminal-Gerichte haben keine Befugnis, Bürgerpapiere auszustellen.

Die Gebühren.

Das „erste Papier“ kostet einen Dollar.

Das „zweite Papier“, oder die endgültige Bescheinigung des Bürgerrechts, kostet vier Dollar.

Die Gebühren sind in den ganzen Ver. Staaten dieselben.

Duplikate für verlorene Papiere.

Ein jeder, der das „erste“ oder „zweite Papier“ verloren hat, kann ein Duplikat erhalten, wenn er eidlich den Verlust des betreffenden Papieres bekräftigt.

Die beschworene Aussage muss vor dem Gerichtsschreiber desjenigen Gerichtshofes gemacht werden, an welchen das Gesuch um ein Duplikat gerichtet worden ist. Diese Bestätigung wird dann an das betreffende Departement nach Washington mit dem Ersuchen eingesandt, dass dem Gericht die Erlaubnis erteilt wird, dem Applikanten ein Duplikat ausstellen zu dürfen.

Das Stimmrecht.

In einigen Staaten der Union erhält ein Ausländer, der sein „erstes Papier“ erhalten hat, das Stimmrecht gleich einem naturalisierten oder eingeborenen Bürger. In den meisten Staaten aber erhält man das Stimmrecht erst nach der Bewilligung des „zweiten Papieres“.

Der Grund des Unterschiedes im Recht zum Stimmen in den betreffenden Staaten erklärt sich dadurch, dass das Recht zum Stimmen von den einzelnen Staaten erteilt wird, während die Naturalisation ein Recht ist, das von den Ver. Staaten Gesetzen geschaffen wurde (und nicht von irgend einem einzelnen Staate).

Vorschriften bezüglich naturalisierter Bürger, die ihren Wohnsitz im Auslande genommen haben.

Wenn irgend ein naturalisierter Bürger innerhalb der fünf Jahre, in denen er das Bürgerrecht erhalten hat, in sein Heimatsland oder in irgend ein fremdes Land zurückkehrt und sich dort dauernd niederlässt, so wird das beim ersten Blick als ein Beweis dafür betrachtet, dass ein solch naturali-

sierter Ausländer nicht die Absicht habe, amerikanischer Bürger zu sein, und sein Bürgerbrief kann für null und nichtig erklärt werden.

Es ist zur Aufgabe der Ver. Staaten Konsuln im Auslande gemacht worden, dass sie von Zeit zu Zeit dem Justiz-Ministerium die Namen solcher Personen mitteilen sollen, welche Bürgerscheine von den Ver. Staaten haben und sich im Auslande dauernd niederlassen wollen.

Vorschriften bezüglich Bürger, die sich nach ihrer Naturalisation im Auslande niederlassen.

Sollte irgend ein naturalisierter amerikanischer Bürger zwei Jahre in dem Lande, aus welchem er eingewandert ist, oder in einem fremden Lande fünf Jahre wohnen, so wird vorausgesetzt, dass er aufgehört hat, amerikanischer Bürger zu sein. Sein Hauptaufenthaltort wird dann als seine Wohnstätte für die Zeit betrachtet. Es ist aber dennoch eine Möglichkeit vorhanden, dass solch eine Vermutung durch eine bestimmte Verordnung des Staats-Ministeriums widerlegt wird, wenn man einem Diplomaten oder Konsular-Beamten genügende Beweise dafür liefern kann.

K a p i t e l III.

Strafen.

Strafen für Fälschung von Bürgerscheinen u. s. w.

Eine jede Person, die fälscht oder nachmacht, oder verursacht, dass gefälscht oder nachgemacht wird, wissentlich mithilft oder unterstützt das Fälschen oder Nachmachen eines Bürgerscheines, in der Absicht, denselben zu gebrauchen, oder, dass eine andere oder mehrere Personen denselben gebrauchen sollen, macht sich eines Verbrechens schuldig.

Eine Person, die solch eines Verbrechens überführt wird, kann mit einer Gefängnisstrafe von nicht mehr als zehn Jahren, oder mit einer Geldstrafe von nicht mehr als zehntausend Dollar, oder mit beiden, Geld und Gefängnis, bestraft werden.

Strafen für ungesetzliches Gravieren einer Platte, ähnlich einem Bürgerscheine.

Eine jede Person, die graviert, oder verursacht, dass graviert wird, oder das Gravieren einer Platte ähnlich einem Bürgerscheine unterstützt, solche Platten verkauft, oder sie von irgend einem Orte im Auslande importiert, ausgenommen, dass es mit der Erlaubnis des Handels- und Arbeits-Ministeriums oder eines Beamten geschieht, kann mit einer Gefängnisstrafe von nicht über 10 Jahren, oder mit einer Geldstrafe von nicht mehr als 10,000 Dollar, oder mit beiden, Gefängnis und Geld, bestraft werden.

Eine jede Person, die im Besitze einer Platte ist, die ähnlich graviert ist einer Platte mit welcher bereits Bürgerscheine gedruckt worden sind, und die Absicht hat, diese Platte zum Fälschen von Bürgerscheinen zu gebrauchen, oder gestattet, dass die Platte zu solchen Zwecken, und wenn auch nur ein Teil gebraucht wird, kann wie oben gesagt bestraft werden.

Eine jede Person, welche druckt oder photographiert oder verursacht das Drucken oder Photographieren einer Druckform ähnlich einem Bürgerschein, wird wie vorher genannt bestraft.

Eine Person, die solche Bescheinigungen verkauft, oder sie von irgend einem Orte im Auslande in die Ver. Staaten einführt, ausgenommen, dass es unter Aufsicht eines Beamten der Ver. Staaten geschieht, oder eine Person, welche im Besitze eines Papiere ist, welches von einem Beamten der Ver. Staaten zum Drucken solcher Bescheinigungen ausersehen worden ist, und die Person die Absicht hat, das Papier zu ungesetzlichen Zwecken zu gebrauchen, kann mit einer Gefängnisstrafe von nicht über zehn Jahren, oder mit einer Geldstrafe von nicht mehr als 10,000 Dollar, oder mit beiden, Geld und Gefängnis, bestraft werden.

Strafen für ungesetzlich zuwege gebrachte Naturalisation u. s. w.

Eine Person, welche wissend eine falsche Naturalisation zuwege bringt und die Verfügungen bei dieser Handlung verletzt, kann mit einer Geldstrafe von nicht über 5,000 Dollar, oder

einer Gefängnisstrafe von nicht über fünf Jahren, oder mit beiden, Geld und Gefängnis, bestraft werden.

Es ist dem Gerichtshof anheimgestellt, in welchem ein solches Vergehen untersucht wird, die betreffende Person vom weiteren Erwerb des Bürgerrechtes ausschliessen zu können. Gerichtsbarkeit in solchen Fällen ist den Gerichtshöfen verliehen, welche das Recht haben, bei Untersuchung eines solchen Vergehens genanntes Urteil zu fällen.

Eine jede Person, welche mithilft, Rat erteilt, oder ermutigt eine andere Person, die dazu nicht berechtigt ist, dass dieselbe die Vorbereitungs-Papiere für die Naturalisation hinterlegt, mit der Absicht, Bürger der Ver. Staaten werden zu wollen;

Oder eine Person welche bei einer Naturalisation ein falsches Zeugnis bei einer wichtigen Angelegenheit ablegt, oder eine beschworene Aussage macht, die bei solch einem Verfahren unbedingt nachgeprüft wird und sich dann als falsch erweist, kann mit einer Geldstrafe von nicht mehr als 5,000 Dollar, oder einer Gefängnisstrafe von nicht über fünf Jahren, oder mit beiden, Geld und Gefängnis, bestraft werden.

Abteilung II.

Kapitel IV.

Das Verfahren bei der Nachsuchung um das Bürgerrecht.

Wie erlangt man das „erste Papier“?

Das sogenannte „erste Papier“ ist eine Erklärung von Seiten des Applikanten, dass er aus gutem Glauben Bürger der Ver. Staaten zu werden, und sich jeder Treue dem Lande, dessen Untertan oder Bürger er war, zu entsagen beabsichtige.

Der Applikant muss mindestens 18 Jahre alt sein.

Er soll für das „erste Papier“ entweder bei einem der Ver. Staaten Kreis- oder Bezirksgerichte im selben Bezirke, in welchem er wohnt, oder bei einem Staats-Gericht, das gesetzliche Autorisation hat, Bürgerscheine auszustellen, nachsuchen.

Er hat folgende Angaben zu machen: Namen, Alter, Ge-

burtsort, Beruf, Kaufmann oder Handwerker, seinen vorherigen Aufenthaltsort im Auslande, das Datum seiner Ankunft, den Namen des Schiffes, auf welchem er gekommen ist, und den Namen des Hafens, in dem er gelandet ist.

Ferner eine genaue Beschreibung seiner Person, wie Grösse, die Farbe vom Haar, der Augen, Gewicht und andere sichtbaren Merkmale.

Dass er kein Anarchist ist; dass er keine Vielweiberei betreibt; dass er aus gutem Glauben jeder Treue dem Staate, dessen Bürger oder Untertan er ist, sich zu entsagen beabsichtige.

Dass er aus Treue Bürger der Ver. Staaten von Amerika werden und sich daselbst dauernd niederlassen will.

Alle vorherigen Angaben müssen in seine Absichts-Erklärung einverleibt, mit des Applikanten Unterschrift versehen und auch beschworen werden.

Gedruckte Formulare, die vom Applikanten ausgefüllt und unterzeichnet werden, sind vorgesehen. (Vergl. Seite 81 des englischen Textes.)

Das „erste Papier“ wird im Verlaufe von sieben Jahren ungültig, ausgenommen, dass der Applikant in den sieben Jahren vom Datum des „ersten Papieres“ um das „zweite Papier“ nachsucht.

Zeugen sind zur Herausnahme des „ersten Papieres“ nicht nötig.

Kapitel V.

Wie erhält man das „zweite Papier“, oder die endgültige Bescheinigung der Naturalisation?

Bevor zwei volle Jahre vom Datum des „ersten Papieres“ vergangen sind, kann um das „zweite Papier“ nicht nachgesucht werden. Das Gesuch für das „zweite Papier“ muss aber innerhalb der sieben Jahre vom Datum des „ersten Papieres“ gemacht werden, denn sonst wird das „erste Papier“ ungültig.

Der Applikant muss 21 Jahre alt sein.

Er muss fünf Jahre ununterbrochen in den Ver. Staaten, und davon mindestens ein Jahr in dem Staate, in welchem er um das Bürgerrecht nachsucht, gewohnt haben.

Er soll sein Gesuch an einen der oben erwähnten Gerichtshöfe richten.

Auch hier, wie bei der Herausnahme des „ersten Papieres“, muss er ein geschriebenes Gesuch unterzeichnen und folgende Angaben machen:

Seinen Vor- und Zunamen, den Ort seines Aufenthaltes, wie Strasse und Hausnummer, Beruf, Geburtstag, wann er in die Ver. Staaten eingewandert ist, den Namen des Schiffes, den Tag seiner Ankunft, den Hafen, in dem er gelandet ist, ob verheiratet oder ledig, den Namen und Geburtstag der Frau, ihre Wohnung, die Zahl der Kinder, deren Namen, Geburtstag und Ort, wo sich ein jedes von den Kindern aufhält; dass er kein Anarchist ist, keine Vielweiberei treibt; dass es seine Absicht ist, Bürger der Ver. Staaten zu werden; dass er sich der Treue zu einem jeden fremden Machthaber entsagt; dass er englisch sprechen kann, und dass er volle fünf Jahre in den Ver. Staaten gewohnt hat.

Das Gesuch muss vom Applikanten unterzeichnet und beschworen werden. Die gedruckten Formulare hierfür sind beim betreffenden Gehülfen des Gerichtshofes zu haben und sind inhaltlich der auf Seite 82—83 des Buches angegebenen Form ähnlich.

Zeugen.

Nachdem das Gesuch vom Applikanten unterzeichnet wurde, folgt die Aussage der Zeugen.

Die Zeugen müssen Bürger der Ver. Staaten sein (auch eine Frau kann Zeuge sein).

Sie, die Zeugen, müssen angeben: ihren Beruf, Wohnort, dass sie den Applikanten mindestens seit fünf Jahren als Einwohner der Ver. Staaten kennen, dass der Applikant eine Person sittlichen Charakters ist, dass er den Prinzipien der Ver. Staaten-Verfassung ergeben, und dass er, der Zeugen Ansicht nach, würdig ist, Bürger der Ver. Staaten zu werden.

Bescheinigung vom Einwanderungs-Commissär.

Wenn der Applikant nach dem 29. Juni 1906 in den Ver. Staaten gelandet ist, so hat er um eine Bescheinigung über

das Datum seiner Ankunft von dem Ver. Staaten Kommissär des Hafens, in welchem er gelandet ist, nachzusuchen.

(Eine Form der Erklärung, die die Zeugen unterzeichnen und beschwören müssen, befindet sich auf Seite 83—84 des Buches.)

Des Applikanten Gesuch, die beschworene Erklärung der Zeugen und die Bescheinigung vom Kommissär (wenn solche vorhanden) müssen beim Gerichtshof hinterlegt werden.

Neunzig Tage müssen vergehen, bevor die endgültige Bescheinigung der Naturalisation bewilligt wird.

Nachdem das Gesuch eingereicht wurde, werden die Namen des Applikanten und Zeugen vom Gerichtsschreiber an einem öffentlichen Platze des Gerichtshofes angeschlagen. Die endgültige Bescheinigung der Naturalisation wird nicht erteilt, bevor wenigstens 90 Tage vom Datum, an welchem das Gesuch eingereicht wurde, verlaufen sind.

Dem Applikanten wird es gewöhnlich angezeigt, an welchem Tage er für das letzte Verhör vor dem Gericht zu erscheinen hat. Bürgerrechte werden vor einem öffentlichen Gerichte erteilt. Der Applikant hat an dem festgesetzten Tage mit seinen Zeugen zu erscheinen und wird dann vom Richter im öffentlichen Gericht bezüglich seiner Würdigkeit geprüft, und auch seine Zeugen werden geprüft. Wird nun der Applikant für würdig befunden, so wird ihm das Bürgerrecht erteilt.

Im Verlaufe der 90 Tage oder mehr, das heisst in der Zwischenzeit, wann das Gesuch eingereicht wurde und bis zum letzten Verhör, macht der Gerichtsgehülfe bei den verschiedenen Abteilungen, Einwanderungs- und Naturalisations-Bureaus und bei allen ihm verfügbaren Auskunftsquellen Anfragen, ob die vom Applikanten und dessen Zeugen gemachten Aussagen auf Wahrheit beruhen.

Wichtige Aufklärungen.

Man muss zwei Zeugen haben — naturalisierte oder eingeborene Bürger.

Wenn die Zeugen naturalisierte Bürger sind, so haben sie ihre Bürgerpapiere mit sich ins Gericht zu bringen.

Man muss die Zeugen persönlich kennen und mit ihnen mindestens fünf Jahre in Beziehung gewesen sein.

Sie, die Zeugen, werden aufgefordert, zu erklären, wie und wann sie den Betreffenden kennen gelernt haben, wie oft sie ihn im Laufe der fünf Jahre oder der Zeit, seit der sie ihn kennen, gesehen haben.

Man nehme solche Zeugen, die man wenigstens ein- oder zweimal monatlich in den fünf Jahren gesehen hat. Die Zeugen müssen einen wenigstens fünf Jahre bis unmittelbar vor der Zeit wann das Gesuch eingereicht wurde, kennen.

Wenn die Zeugen nicht freiwillig ins Gericht kommen wollen, so kann man sie gerichtlich vorladen lassen. Wenn man einen Teil der fünf Jahre in einem anderen Staate verlebt hatte und keine Zeugen in der Stadt oder Staat, wo um das Bürgerrecht nachgesucht wird, haben kann, so können die Zeugen, die man im Staate des früheren Aufenthaltes kennt, ihre Aussagen vor einem Bezirksanwalt machen und dann weiter befördern, und vom Applikanten an seinem gegenwärtigen Aufenthaltsort gebraucht werden.

Man sei sehr vorsichtig, dass alle Fragen genau beantwortet werden: besonders die richtigen Namen der Frau und Kinder, genau den Tag ihrer Geburt; denn wird hierbei ein Irrtum gemacht, wie zum Beispiel beim Alter eines Kindes, so kann das Kind nicht auf Grund der Naturalisation des Vaters Anspruch auf das Bürgerrecht erheben.

Man vermeide daher Irrtümer beim Antworten, und achte sehr darauf, dass die Antworten dieselben sind beim Gesuche für das „erste“ als auch für das „zweite Papier“.

Man mache keine falschen Angaben, sei es mit oder ohne Absicht. Eine jede falsche Angabe, die, vom Applikanten oder seinen Zeugen gemacht, in den folgenden fünf Jahren entdeckt wird, würde genügenden Grund liefern, um den Bürgerschein für nichtig erklären zu können.

Folgende Fragen sollten vom Applikanten sorgfältig durch-

gelesen werden, und wenn er sie gut beherrscht, so wird er würdig sein, Bürger zu werden. Der Applikant soll die Verfassung und Unabhängigkeits-Erklärung der Vereinigten Staaten sorgfältig durchlesen, denn so wird er viele Fragen besser verstehen können.

Abteilung III.

Fragen, die beim Gesuch für das „erste Papier“ gestellt werden.

Kapitel VII.

Auf jede der folgenden Fragen muss der Applikant bei der Herausnahme des „ersten Papires“ mit einer Antwort vorbereitet sein.

Fr. Wie alt sind Sie?

Fr. Was ist Ihre Beschäftigung?

Fr. Wie ist Ihre körperliche Beschreibung, Farbe, Aussehen, Grösse, Gewicht, die Farbe von Haar und den Augen und andere sichtbaren Merkmale?

Fr. Wo und wann sind Sie geboren worden?

Fr. Wo wohnen Sie jetzt?

Fr. Wann sind Sie in die Vereinigten Staaten von Amerika eingewandert?

Fr. Von welchem Hafen sind Sie abgefahren?

Fr. Mit welchem Schiff sind Sie gekommen?

Fr. Beabsichtigen Sie aus gutem Glauben jeder Treue und Ergebenheit zu irgend einem ausländischen Fürsten, Machthaber, Staatswesen oder Souveränität, besonders dem, dessen Untertan oder Bürger Sie jetzt sind, zu entsagen?

Fr. In welchem Hafen sind Sie gelandet?

Fr. An welchem Datum sind Sie angekommen?

Fr. Sind Sie ein Anarchist?

Fr. Betreiben Sie Vielweiberei, oder glauben Sie an die Verwirklichung derselben?

Fr. Ist Ihre Absicht, Bürger der Vereinigten Staaten von Amerika zu werden und sich da dauernd niederzulassen, aus gutem Glauben?

Das sind all die Fragen, welche an den Applikanten bei der Herausnahme des „ersten Papiere“ gerichtet werden. Zeugen sind dazu nicht nötig. Alle Fragen müssen jedoch genau beantwortet werden. Sie werden in seiner „Absichts-Erklärung“, Bürger zu werden, eingetragen und vom Applikanten unterzeichnet und beschworen.

Kapitel VIII.

Fragen, die beim ersten Gesuch für das „zweite Papier“ oder „letztes Papier“ gestellt werden.

Auf jede der folgenden Fragen muss der Applikant mit einer genügenden Antwort vorbereitet sein, wenn er um sein „zweites Papier“ nachsucht.

Fr. Wie heissen Sie, Vor- und Zunamen?

Fr. Wo wohnen Sie, Strasse und Nummer, Stadt, Staat, Territorium oder Bezirk?

Fr. Was ist Ihre Beschäftigung?

Fr. Wann sind Sie geboren, Tag und Jahr?

Fr. Wo sind Sie geboren?

Fr. Wann sind Sie in die Vereinigten Staaten eingewandert, von welchem Hafen oder Ort, Tag und Jahr?

Fr. In welchem Hafen der Vereinigten Staaten sind Sie gelandet, mit welchem Schiff und wann?

Fr. Wann haben Sie erklärt, Bürger der Vereinigten Staaten zu werden (das heisst, wann haben Sie Ihr „erstes Papier“ herausgenommen), das Datum, Stadt und bei welchem Gericht?

Fr. Sind Sie verheiratet?

Fr. Wie heisst Ihre Frau mit vollem Namen?

Fr. Wo ist Ihre Frau geboren?

Fr. Wo wohnt Ihre Frau?

Fr. Wie viele Kinder haben Sie?

Fr. Wie heisst ein jedes von den Kindern, Datum, Geburtsort und Wohnort?

Fr. Sind Sie gegen ein geordnetes Regierungssystem?

Fr. Sind Sie ein Mitglied oder verbunden mit einer organisierten Körperschaft von Personen, die Unzufriedenheit gegen die organisierte Regierung lehrt?

Fr. Betreiben Sie Vielweiberei oder glauben Sie an die Verwirklichung derselben?

Fr. Sind Sie den Prinzipien der Vereinigten Staaten-Verfassung ergeben?

Fr. Ist es Ihre Absicht, Bürger der Vereinigten Staaten zu werden und sich vollständig und für immer jeder Treue und Ergebenheit zu irgend einem ausländischen Fürsten, Machthaber, Staat oder Souveränität und besonders dem, dessen Untertan oder Bürger Sie jetzt sind, zu entsagen?

Fr. Beabsichtigen Sie sich in den Vereinigten Staaten dauernd niederzulassen?

Fr. Sprechen Sie englisch?

Fr. Haben Sie wenigstens eine Zeit von fünf Jahren ununterbrochen, bis unmittelbar vor Ihrem Gesuche für das „zweite Papier“, in den Vereinigten Staaten von Amerika gewohnt?

Fr. Haben Sie mindestens ein Jahr in dem Staate, Territorium oder Bezirk (wo Sie um das „zweite Papier“ nachsuchten) gewohnt?

Fr. Haben Sie je bevor bei einem Gerichtshof um das Bürgerrecht nachgesucht? Wenn das der Fall ist, warum wurde Ihr Gesuch abgelehnt?

Alle vorhergesagten Fragen müssen vom Applikanten bei seinem Gesuch an das Gericht für sein „zweites Papier“ beantwortet werden. Sie sind alle im Gesuchs-Formular, welches vom Applikanten unterzeichnet und beschworen werden muss, enthalten und aufgezählt. Manche der Fragen sind ähnlich denen, die im Gesuche für das „erste Papier“ enthalten sind. Viel Sorgfalt sollte der Applikant bei der Beantwortung der Fragen verwenden; besonders bezüglich des Namens der Frau, der Zahl der Kinder, ihrer Namen, Geburts- und Aufenthalts-ort. Denn jeder wesentliche Irrtum hierbei würde ein solches Kind daran verhindern, Anspruch auf das Bürgerrecht der

Vereinigten Staaten, auf Grund der Naturalisation des Vaters, zu erheben. (Natürlich kann hier nur die Rede sein von Kindern, die ausserhalb der Grenzen und Gerichtsbarkeit der Vereinigten Staaten geboren sind.)

Kapitel IX.

Fragen an den Applikanten und seine Zeugen.

Fragen, die an den Applikanten gestellt werden.

Fr. Wann haben Sie Bekanntschaft gemacht mit Ihren Zeugen und einem jeden von ihnen?

Fr. Wo haben Sie Ihre Zeugen kennen gelernt?

Fr. Wie sind Sie mit Ihren Zeugen bekannt geworden und einem jeden von ihnen?

(Man gebe alle Umstände an, wann, wo und wie man den Zeugen in der ersten Zeit in den Vereinigten Staaten begegnet ist.)

Fr. Wie oft haben Sie in den vergangenen fünf Jahren einen jeden von Ihren Zeugen gesehen?

Fragen, die an die Zeugen gestellt werden.

Fr. Wie heissen Sie und was ist Ihre Beschäftigung?

Fr. Wo wohnen Sie?

Fr. Sind Sie Bürger der Vereinigten Staaten? (Die Zeugen müssen Bürger sein.)

Fr. Wie lange her kennen Sie schon den Applikanten?

Fr. Haben Sie persönlich den Applikanten als einen Einwohner der Vereinigten Staaten fünf Jahre, bis zum Datum, wo er sein Gesuch eingereicht hat, gekannt, und wissen Sie, dass der Applikant mindestens ein Jahr in dem Staate oder Territorium oder Bezirk gewohnt hat, wo er sein Gesuch hinterlegte? Sagen Sie, wie lange?

Fr. Wann, wo und wie sind Sie zuerst dem Applikanten begegnet oder mit ihm bekannt geworden?

(Man gebe die Umstände der ersten Begegnung an; diese muss inhaltlich der Antwort, die der Applikant auf eine ähnliche Frage gibt, entsprechen.)

Fr. Wie oft haben Sie den Applikanten seit Ihrer Bekanntschaft gesehen?

Fr. Wissen Sie aus eigener Erfahrung, dass der Applikant eine Person sittlichen Charakters ist?

Fr. Wissen Sie aus eigener Erfahrung, dass der Applikant den Prinzipien der Vereinigten Staaten-Verfassung ergeben ist?

Fr. Ist der Applikant Ihrer Ansicht nach in jeder Beziehung würdig, Bürger der Ver. Staaten werden zu können?

Die vorherigen Fragen müssen von einem jeden der Zeugen beantwortet werden. Die Fragen sind in erzählender Form in der beschworenen Aussage (affidavit), welche von den Zeugen beschworen und unterzeichnet werden muss, enthalten.

Die beschworene Aussage der Zeugen wird dem Gesuche des Applikanten beigelegt, und beides wird dann beim Gerichtsschreiber hinterlegt.

Neunzig Tage müssen mindestens vergehen von der Zeit, wann der Applikant sein Gesuch einreicht und mit den Zeugen wieder vor dem Gericht erscheinen muss. Dann wird der Applikant darauf untersucht, ob er wirklich würdig ist, zum Bürgerrecht zugelassen zu werden. Der Applikant erhält Mitteilung vom Gerichtsschreiber, wann er mit seinen Zeugen vor dem Gericht zu erscheinen hat. Die letzte Prüfung findet vor einem Richter in offenem Gerichtshof statt.

An die Zeugen werden tatsächlich die oben angeführten Fragen gerichtet.

Der Applikant dagegen steht jetzt vor seiner letzten Prüfung, während deren er zur Genugtuung des vorsitzführenden Richters beweisen muss, dass er hinreichende Kenntnisse über die Verfassung und Regierungsformen der Vereinigten Staaten und anderer Staaten besitzt. Dies würde ihn befähigen, Bürger werden zu können.

Der Applikant sollte folgende Fragen und Antworten fleissig studieren. Er soll die Verfassung und Unabhängigkeits-Erklärung, die in diesem Buche enthalten sind, lesen und mit

den Fragen und Antworten vergleichen. Da es aber vorkommen kann, dass manche Fragen in einer anderen Form gestellt werden, ist es nötig, dass der Applikant sich mit dem Sinn der hier angegebenen Fragen vertraut macht. Dies würde ihm hinreichende Befähigung geben, um Bürger werden zu können.

Der Applikant soll ohne Furcht sein und auf die Fragen vom Richter oder Bezirksanwalt freimütig antworten. Denn eine unrichtige Antwort würde ihn nicht für unwürdig erklären. Dem Richter ist nur daran gelegen, zu wissen, ob der Applikant auch die Fragen gelesen hat; in einem solchen Falle wird der Richter ihm zu Hilfe kommen, indem er entweder die Fragen nochmals wiederholt, oder sie in einer anderen Form stellt, um den Applikanten auf die richtige Antwort zu bringen.

Kapitel X.

Fragen, die von den Gerichten beim letzten Verhör gestellt werden, und die Antworten dazu.

Betreffs der Einzelheiten der Ver. Staaten-Verfassung, der Form unserer National- und Staats-Regierung.

Fr. Unter was für einer Regierungsform leben wir hier?

A. Wir leben unter einer republikanischen Regierungsform, mit anderen Worten, unsere Regierung ist eine Republik.

Fr. Was ist eine Republik?

A. Eine repräsentative Regierung, das heisst, eine Regierung, wo das Volk regiert.

Fr. Haben wir einen Kaiser, König oder einen sonstigen Herrscher?

A. Nein.

Fr. Was ist eine Monarchie?

A. Ein Land, das von einem Kaiser oder König regiert wird.

Fr. Was ist der Unterschied zwischen einer Republik, die wir haben, und einer Monarchie?

A. In einer Monarchie werden die Gesetze vom Kaiser oder König erlassen, während in unserem Lande die Gesetze

vom Volk, durch erwählte Vertreter, gemacht werden. Mit anderen Worten, in einer Monarchie regiert der König, während in diesem Lande das Volk regiert.

Die Verfassung.

Fr. Was ist das höchste Gesetz der Vereinigten Staaten?

A. Die Verfassung.

Fr. Was ist die Verfassung?

A. Sie ist das grundlegende Gesetz unseres Landes, dem sich alle anderen Gesetze unterordnen müssen.

Fr. Haben Sie je die Verfassung gelesen?

A. Ja.

Fr. Was ist der Sinn der Verfassung?

A. Um die Gerechtigkeit zu schützen, gleiches Recht für alle und die Segnungen der Freiheit für uns selbst und unsere Nachkommen zu sichern.

Fr. Wer hat die Verfassung gemacht?

A. Die Vertreter der dreizehn ursprünglichen Kolonien.

Fr. Wann wurde die Verfassung von den Vereinigten Staaten angenommen?

A. Am 17. September 1787 in der verfassungsmässigen Convention hat sie der Kongress und die anderen Staaten angenommen.

Fr. Wo wurde sie angenommen?

A. In Philadelphia.

Fr. Wie heissen die 13 ursprünglichen Staaten?

A. Es sind: Maryland, New Hampshire, Massachusetts, Connecticut, Pennsylvania, Virginia, New Jersey, New York, Delaware, South Carolina, North Carolina, Georgia, Rhode Island.

Fr. Wie dürfen Aenderungen in der Verfassung vorgenommen werden?

A. Aenderungen in der Verfassung müssen von einer Mehrheit von zwei Dritteln der beiden Häuser des Kongresses und von drei Vierteln der Staaten der Union gutgeheissen werden.

Fr. Sind in der Verfassung seit ihrer ursprünglichen Annahme je Aenderungen vorgenommen worden?

A. Ja.

Fr. Wie viele Zusätze hat die Verfassung?

A. Fünfzehn.

Fr. In wie viele Abteilungen hat die Verfassung die Regierung der Vereinigten Staaten geteilt?

A. In drei Abteilungen.

Fr. Welches sind die?

A. Die gesetzgebende, vollziehende und die gerichtliche.

Fr. Wer bildet die gesetzgebende Abteilung der Vereinigten Staaten-Regierung?

A. Der Kongress.

Fr. Wer bildet die vollziehende Abteilung?

A. Der Präsident und sein Kabinett.

Fr. Wer bildet die gerichtliche Abteilung?

A. Der höchste Gerichtshof der Vereinigten Staaten.

Fr. Warum wurde die Regierung der Vereinigten Staaten in drei Abteilungen geteilt?

A. Um vorzubeugen, dass nicht die ganze Regierungsgewalt ein Mann oder eine Körperschaft inne hat. Deshalb wurde sie verteilt, damit eine Abteilung die andere in Schach hält.

Kongress (gesetzgebende Abteilung).

Fr. Wer macht die Gesetze in den Vereinigten Staaten?

A. Der Kongress zu Washington.

Fr. Macht der Kongress allein die Gesetze?

A. Jawohl, dennoch müssen die Gesetze mit der Unterschrift des Präsidenten versehen sein.

Fr. Woraus besteht der Kongress?

A. Der Kongress setzt sich aus zwei Häusern zusammen: dies sind der Senat und das Abgeordnetenhaus.

Fr. Wie viele Mitglieder hat der Senat?

A. Zwei von jedem Staate der Union.

Fr. Werden die Senatoren direkt vom Volk erwählt?

A. Nein.

Fr. Wie werden die Vereinigten Staaten-Senatoren ernannt?

A. Die gesetzgebende Versammlung von jedem Staat der Union ernennt zwei Senatoren.

Fr. Auf wie lange Zeit?

A. Die Vereinigten Staaten-Senatoren werden auf sechs Jahre erwählt.

Fr. Wie werden die Mitglieder des Abgeordnetenhauses erwählt?

A. Durch direkte Abstimmung vom Volk.

Fr. Auf wie lange Zeit werden die erwählt?

A. Für zwei Jahre.

Fr. Wie viele Mitglieder kann ein jeder Staat ins Abgeordnetenhaus entsenden?

A. Einen Vertreter auf ungefähr 191,000 Einwohner (wenn ein Staat aber weniger als 191,000 Einwohner hat, ist er dennoch berechtigt, einen Vertreter in den Kongress zu senden).

Fr. Wie sind die Kongress-Bezirke eingeteilt?

A. Der Kongress erkennt einem jeden Staate der Union so viele Vertreter zu, zu wie vielen der betreffende Staat berechtigt ist, das heisst, der Bevölkerungszahl gemäss wird ein jeder Staat von seiner Legislatur in Kongress-Bezirke eingeteilt.

Fr. Wie oft versammelt sich der Kongress?

A. Einmal im Jahre, dem ersten Montag im Monat Dezember.

Fr. Worin besteht die Macht des Kongresses?

A. Um Steuern aufzuerlegen, Geld auf der Vereinigten Staaten Kredit zu leihen, Handelsverträge mit fremden Nationen abzuschliessen, eine einförmige Naturalisations-Ordnung zu bestimmen, um Geld zu prägen, Postämter und Landstrassen zu errichten, Krieg zu erklären und ein Heer auszuheben und zu unterhalten.

Präsident, Vizepräsident, das Kabinett (die vollziehende Abteilung der Regierung).

Fr. Wer ist der höchste Exekutivbeamte der Vereinigten Staaten?

A. Der Präsident.

Fr. Wo ist der Vereinigten Staaten-Regierung und des Präsidenten Sitz?

A. Zu Washington, Distrikt Columbia.

Fr. Wer erwählt den Präsidenten der Vereinigten Staaten?

A. Das Volk durch indirekte Wahl, das heisst, das Volk von einem jeden Staate erwählt eine bestimmte Anzahl Wahlmänner, und die vom Volk erwählten Wahlmänner erwählen den Präsidenten. Die Wahlmänner werden unter den Staaten der Bevölkerung gemäss verteilt.

Fr. Auf wie lange wird der Präsident erwählt?

A. Auf vier Jahre.

Fr. Wenn nun kein Kandidat für das Präsidentenamt eine Mehrheit der Stimmen der Wahlmänner erhält, wer erwählt dann den Präsidenten?

A. Das Abgeordnetenhaus erwählt in solch einem Falle den Präsidenten.

Fr. Was sind die Pflichten und die Macht des Präsidenten?

A. Er ist Oberbefehlshaber über das Heer und die Marine der Vereinigten Staaten. Er soll darauf achten, dass die Gesetze genau durchgeführt werden. Er kann Verträge abschliessen, aber benötigt dazu die Zustimmung des Senats. Er ernennt Gesandte, andere öffentliche Beamte und Konsuln. Er kann die vom Kongress gemachten Gesetze für ungültig erklären.

Fr. Worüber führt der Präsident den Vorsitz?

A. Ueber sein Kabinett, welches sich wie folgt zusammensetzt: Staats-, Finanz-, Kriegs-, Marine-, des Innern, Landwirtschafts-, Generalanwalts-, Hauptpostmeister-, Handels- und Arbeits-Ministerium.

Fr. Wie werden die Gesetze der Vereinigten Staaten angenommen?

A. Ein Gesetzesvorschlag muss zuerst vom Abgeordnetenhaus und dann vom Senat angenommen werden; zuletzt muss es vom Präsidenten, bevor es Gesetz wird, unterschrieben werden.

Fr. Ist es notwendig, dass jedes Gesetz vom Präsidenten unterzeichnet wird?

A. Nein; wenn ein Gesetzesvorschlag zehn Tage vom Präsidenten zurückgehalten wird, ohne ihn zu unterschreiben noch für ungültig zu erklären, dann wird er Gesetz ohne des Präsidenten Unterschrift.

Fr. Wenn nun der Präsident einem Gesetzesvorschlag seine Unterschrift verweigert oder denselben für ungültig erklärt, den aber die beiden Häuser des Kongresses gutgeheissen haben, nämlich der Senat und das Abgeordnetenhaus, kann derselbe noch immer ein Gesetz werden?

A. Jawohl. Aber in einem solchen Falle muss der Kongress den Vorschlag mit einer Majorität von zwei Dritteln des Senats und des Abgeordnetenhauses durchbringen; dann wird er ohne die Unterschrift des Präsidenten ein Gesetz.

Fr. Kann ein naturalisierter Bürger Präsident der Vereinigten Staaten werden?

A. Nein. Nur ein eingeborener Bürger, nicht vor dem 35. Lebensjahre, kann Präsident werden.

Fr. Wer wird Präsident, wenn der Präsident stirbt?

A. Der Vizepräsident, und im Falle, dass der Vizepräsident stirbt, wird der Staatssekretär Präsident u. s. w. bis auf das letzte Mitglied des Präsidenten-Kabinetts.

Fr. Wie wird der Vizepräsident erwählt?

A. In derselben Weise wie der Präsident.

Fr. Ueber was für eine Körperschaft führt der Vizepräsident den Vorsitz?

A. Ueber den Senat der Vereinigten Staaten.

Fr. Wer war der erste Präsident der Vereinigten Staaten?

A. George Washington, von 1789—1793.

Fr. Wer ist jetzt Präsident?

A. Woodrow Wilson.

Fr. Kann eine hiergeborene Frau Präsident der Vereinigten Staaten werden?

A. Jawohl.

Ver. Staaten-Obergericht und das Bundesgericht (bilden die gerichtliche Abteilung der Regierung).

Fr. Welches ist das höchste Gericht in den Vereinigten Staaten?

A. Das Vereingte Staaten-Obergericht zu Washington.

Fr. Worin besteht die Pflicht und Macht des Obergerichts zu Washington?

A. Um den Sinn der Verfassung zu erklären und auszulegen, zu entscheiden, ob Gesetze, die vom Kongress verfügt oder Staatsgesetze mit der Verfassung übereinstimmen und nicht gegen den Sinn oder Prinzipien derselben sind, und jedes Gesetz, das mit der Verfassung in Widerspruch steht, für verfassungswidrig zu erklären, da die Verfassung unser höchstes Gesetz ist, das unmittelbar vom Volk herkommt.

Fr. Wer ernennt die Richter für das Vereinigte Staaten-Bundesgericht?

A. Sie werden für lebenslänglich vom Präsidenten, und zwar unter Zustimmung und Gutachten des Senats, ernannt.

Fr. Ist ein jeder Bürger, der eines Verbrechens angeklagt wird, zu einem Verhör vor einem Schwurgericht berechtigt?

A. Jawohl, nach der Verfassung.

Fr. Was ist ein Schwurgericht?

A. Zwölf Männer, die vom Angeklagten und vom Volk erwählt werden; sie hören die Aussagen an, um entweder den Angeklagten freizusprechen oder zu verurteilen.

Fr. Was sind die Pflichten eines Bürgers der Vereinigten Staaten?

A. Gehorsam den Gesetzen gegenüber und das Land in Kriegszeiten zu verteidigen.

Fr. Wie viele Sterne hat die Flagge der Vereinigten Staaten?

A. Achtundvierzig, ein Stern für einen jeden Staat.

Fr. Wie viele Staaten hat die Union?

A. Achtundvierzig.

Fr. Haben Sie die Unabhängigkeits-Erklärung gelesen?

A. Jawohl.

Fr. Von wann datiert die Unabhängigkeits-Erklärung und wann hat unser Land seine Unabhängigkeit erklärt?

A. Am 4. Juli 1776, an diesem Datum wurde sie im Kongress von den Abgeordneten der dreizehn ursprünglichen Staaten unterzeichnet.

Staats-Gesetze.

(Die folgenden Fragen haben zwar nur auf den Staat und die Stadt New York Bezug. Sie können aber auch für einen anderen Staat gebraucht werden.)

Fr. Können Sie mir auch andere Gesetze, ausser denen, die vom Kongress zu Washington gemacht werden, nennen?

A. Ja, ein jeder Staat hat seine eignen Gesetze.

Fr. Wer macht die Gesetze für einen jeden Staat?

A. Die gesetzgebende Versammlung eines jeden Staates, welche sich aus dem Senat und Assembly zusammensetzt; der Senat wird das Oberhaus, die Assembly das Unterhaus genannt.

Fr. Wie werden die Mitglieder des Senats und Assembly eines jeden Staates erwählt?

A. Durch direkte Abstimmung vom Volk.

Fr. Wer ist das Haupt einer jeden Staatsregierung?

A. Der Gouverneur von einem jeden Staat.

Fr. Wer erwählt den Gouverneur eines jeden Staates?

A. Das Volk durch direkte Abstimmung.

Fr. Worin besteht die Pflicht und Macht eines Gouverneurs von einem jeden Staate?

A. Dass die Staatsgesetze genau durchgeführt werden, und die Gesetzesvorschläge, welche von der Legislatur vorgelegt werden, unterzeichnet werden. Wenn der Gouverneur irgend einen Gesetzesvorschlag für ungültig erklärt, so kann derselbe von der Legislatur nochmals eingebracht werden und, wenn er mit einer Mehrheit von zwei Dritteln angenommen

wird, so wird er ein Gesetz ohne des Gouverneurs Unterschrift.

Fr. Wer macht die Gesetze für den Staat New York?

A. Die gesetzgebende Körperschaft zu Albany, die sich aus dem Senat und Assembly zusammensetzt.

Fr. Wie viele Mitglieder hat der Senat zu Albany?

A. Einundfünfzig Mitglieder; ein jeder Staats-Senator wird auf zwei Jahre erwählt.

Fr. Wie viele Mitglieder hat die Assembly zu Albany?

A. Einhundertundfünfzig Mitglieder; ein jeder Assemblyman wird auf ein Jahr erwählt.

Fr. Auf wie lange Zeit wird ein Gouverneur vom Staat New York erwählt?

A. Auf zwei Jahre.

Fr. Wie heisst die Hauptstadt vom Staat New York?

A. Albany.

Fr. Wer macht die Gesetze für die Stadt New York?

A. Die gesetzgebende Versammlung zu Albany.

Fr. Was ist der Titel des Hauptexekutiv-Beamten der Stadt New York?

A. Mayor (Bürgermeister).

Fr. Auf wie lange Zeit wird der Mayor der Stadt New York erwählt?

A. Auf vier Jahre, und zwar wird er vom Volk erwählt.

Fr. Kann der Mayor der Stadt New York ein Gesetz, das zu Albany für die Regierung der Stadt New York gemacht wurde, für ungültig erklären?

A. Ja; in einem solchen Falle darf die Legislatur den Vorschlag nochmals einbringen; wird er angenommen, so wird er ein Gesetz.

Fr. Wissen Sie, was eine städtische Verordnung ist?

A. Ein Gesetz, das Angelegenheiten und Geschäfte ordnen soll, für welche die Legislatur keine besonderen Vorschriften hat.

Fr. Wer macht die städtischen Verordnungen?

A. Der städtische Gemeinderat, die Versammlung der Aldermen.

Ein gutes Werk.

„Zeit ist Geld,“ und dieses Sprichwort sollte man auch beim Erlernen der englischen Sprache anwenden. Leider wird auf diesem Gebiete noch manch Einer Lehrgeld bezahlen müssen. Tatsache ist es, dass Leute, die mit grammatisch geordneten Sprachbüchern jahrelang sich abplagen, trotzdem im Sprechen kaum welche Fähigkeit besitzen. Aus der Praxis für die Praxis schuf nun, um dem Uebelstand abzuhelpfen, der General-Dolmetscher Dr. R. Rosenthal sein geniales Werk, betitelt:

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